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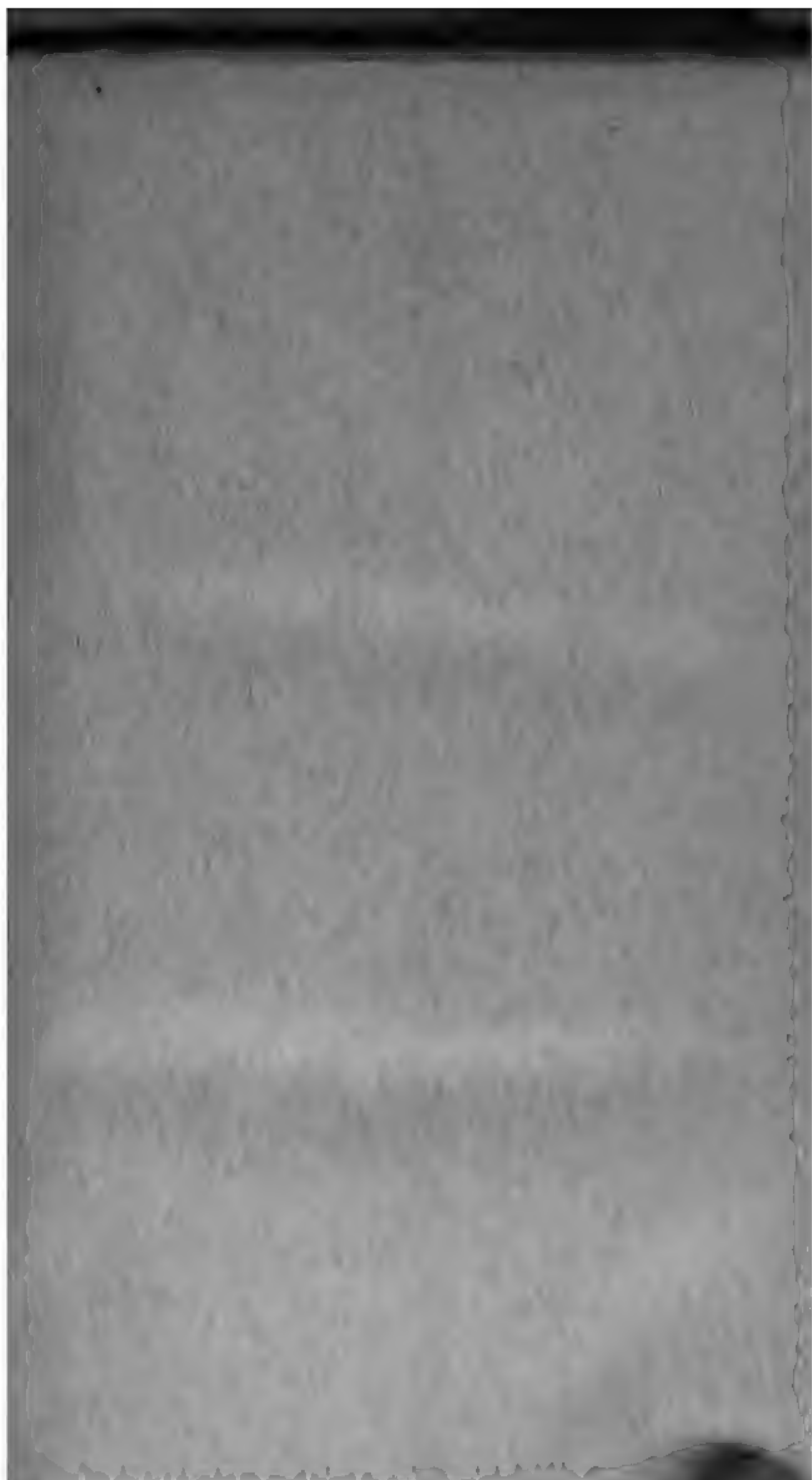
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THE  
**ANNUAL REGISTER,**

OR A VIEW OF THE  
**HISTORY,**  
**POLITICS,**

AND  
**LITERATURE,**  
OF THE YEAR

**1832.**



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which the Lords had just rejected. It was possible that they might consider something very different in kind to be equally efficient in its results ; but to the ears of their supporters this language must have meant, that the same quantity of actual innovation was still to be enforced ; and if so, then it was not easy to see how a different result could be anticipated in the House of Peers. The political unions, therefore, the reforming clubs, and the reforming Journals, pressed upon the ministry, day and night, the necessity of constraining the king to create such a number of reforming peers, as would render futile all opposition in the upper house ; and lord Grey was told, that if he hesitated to take this step, he would be regarded and treated as a betrayer of that cause which alone had given him power, and had enabled him to retain it. It was taken for granted that the king, who was himself held forth as the great patron of the bill, was ready to secure its success by making the peers bend to the prerogative ; or, if he should be reluctant, then, it was plainly announced, the people would find means to bring both his Majesty and the peers into a fitting temper of concession.

On the 6th of December, the king opened the session in person with the following speech :—

“ My Lords and Gentlemen,

“ I have called you together that you may resume, without further delay, the important duties to which the circumstances of the times require your immediate attention ; and I sincerely regret the inconvenience which I am well aware you must experience from so early a renewal of your labours, after the short interval allowed you

for repose from the fatigues of the last session.

“ I feel it to be my duty, in the first place, to recommend to your most careful consideration the measures which will be proposed to you for a reform in the Commons' House of Parliament : a speedy and satisfactory settlement of this question becomes daily of more pressing importance to the security of the state, and to the contentment and welfare of my people.

“ I deeply lament the distress which still prevails in many parts of my dominions, and for which the preservation of peace both at home and abroad will, under the blessing of Divine Providence, afford the best and most effectual remedy. I feel assured of your disposition to adopt any practicable measures, which you will always find me ready and anxious to assist, both for removing the causes and mitigating the effects of the want of employment, which the embarrassments of commerce and the consequent interruption of the pursuits of industry have occasioned.

“ It is with great regret that I have observed the existence of a disease at Sunderland, similar in its appearance and character to that which has existed in many parts of Europe. Whether it is indigenous, or has been imported from abroad, is a question involved in much uncertainty ; but its progress has neither been so extensive nor so fatal as on the continent. It is not, however, the less necessary to use every precaution against the further extension of this malady ; and the measures recommended by those who have had the best opportunities of observing it, as most effectual for this purpose, have been adopted.

“ In parts of Ireland a systematic

opposition has been made to the payment of tithes, attended, in some instances, with afflicting results; and it will be one of your first duties to inquire whether it may not be possible to effect improvements in the laws respecting this subject, which may afford the necessary protection to the established church, and at the same time remove the present causes of complaint.

“ But in this and in every other question affecting Ireland, it is, above all things, necessary to look to the best means of securing internal peace and order; which alone seem wanting to raise a country, blessed by Providence with so many natural advantages, to a state of the greatest prosperity.

“ The conduct of the Portuguese government, and the repeated injuries to which my subjects have been exposed, have prevented a renewal of my diplomatic relations with that kingdom. The state of a country, so long united with this by the ties of the most intimate alliance, must necessarily be to me an object of the deepest interest. The return to Europe of the elder branch of the illustrious house of Braganza, and the dangers of a disputed succession, will require my most vigilant attention to events, by which not only the safety of Portugal, but the general interests of Europe, may be affected.

“ The arrangement which I announced to you at the close of the last Session, for the separation of the states of Holland and Belgium, has been followed by a treaty between the five Powers and the king of the Belgians, which I have directed to be laid before you as soon as the ratifications shall have been exchanged.

“ A similar treaty has not yet been agreed to by the king of the Netherlands; but I trust the period is not distant when that sovereign will see the necessity of acceding to an arrangement, in which the plenipotentiaries of the five Powers have unanimously concurred, and which has been framed with the most careful and impartial attention to all the interests concerned.

“ I have the satisfaction to inform you that I have concluded with the king of the French a convention, which I have directed to be laid before you, the object of which is the effectual suppression of the African slave trade. This convention, having for its basis the concession of reciprocal rights, to be mutually exercised in specified latitudes and places, will, I trust, enable the naval forces of the two countries, by their combined efforts, to accomplish an object which is felt by both to be so important to the interests of humanity.

“ Regarding the state of Europe generally, the friendly assurances which I receive from foreign Powers, and the union which subsists between me and my Allies, inspire me with a confident hope that peace will not be interrupted.

“ Gentlemen of the House of Commons,

“ I have directed the estimates for the ensuing year to be prepared, and they will, in due time, be laid before you. I will take care that they shall be formed with the strictest regard to economy; and I trust to your wisdom and patriotism to make such provision as may be required for the public service.

“ My Lords and Gentlemen,

“ The scenes of violence and outrage which have occurred in the city of Bristol, and in some

other places, have caused me the deepest affliction.

“The authority of the laws must be vindicated by the punishment of offences which have produced so extensive a destruction of property, and so melancholy a loss of life; but I think it right to direct your attention to the best means of improving the municipal police of the kingdom, for the more effectual protection of the public peace against the recurrence of similar commotions.

“Sincerely attached to our free constitution, I never can sanction any interference with the legitimate exercise of those rights which secure to my people the privilege of discussing and making known their grievances; but, in respecting these rights, it is also my duty to prevent combinations, under whatever pretext, which in their form and character are incompatible with all regular government, and are equally opposed to the spirit and to the provisions of the law; and I know that I shall not appeal in vain to my faithful subjects to second my determined resolution to repress all illegal proceedings, by which the peace and security of my dominions may be endangered.”

The Address, which was moved and seconded in the upper house by the earl of Camperdown and lord Dinorben, and in the lower by lord Cavendish and sir F. Vincent, did not produce any division. Both parties kept aloof from the reform question, as it was known that the new bill was to be immediately introduced. The principal matter of discussion in the House of Peers was found in those parts of the royal speech which regarded the foreign policy of the government. Lord Harrowby objected, that this passage of the address—

“We beg to express to your Majesty our satisfaction that the arrangement which your Majesty announced to us at the close of the last Session, for the separation of the states of Holland and Belgium, has been followed by a treaty between the five Powers”—implied an approbation of a treaty which the House had never seen. Then the address made the House say, in the words of the Speech, “We trust that the period is not distant when the king of the Netherlands will see the necessity of acceding to an arrangement in which the plenipotentiaries of the five Powers,” &c. This was liable to the same objection, as the House did not yet know what the arrangement was. The address went on to state, following the speech, that the arrangement had been framed with the most careful and impartial attention to all the interests concerned. This was another matter which had not yet come within the knowledge of the House. As he was desirous that the address should be voted unanimously, and therefore did not wish to propose an amendment, he hoped that the mover himself would adopt the following altered reading of the passages in question:—“We beg to express our thanks to your Majesty for the information, that the arrangement which your Majesty announced to us at the close of the last session, for the separation of the states of Holland and Belgium, has been followed by a treaty between the five Powers and the king of the Belgians; and for the directions your Majesty has given that that treaty be laid before us as soon as the ratifications shall have been exchanged. We thank your Majesty for communicating to us, that a similar treaty



has not yet been agreed to by the king of the Netherlands ; but that your Majesty trusts the period is not far distant when that sovereign will see the necessity of acceding to an arrangement in which the plenipotentiaries of the five Powers have unanimously concurred, and which we are assured by your Majesty has been framed with the most careful and impartial attention to all interests concerned." Earl Grey agreed that the proposed alteration was an improvement on the address, and that the address should have been so worded at first ; for it certainly had never been intended to pledge their lordships to any opinion upon a treaty which had not yet come regularly before them. Lord Camperdown accordingly adopted the alteration as part of the original address.

In the Commons, sir Charles Wetherell brought particularly under the notice of the House, that part of the royal speech which related to the riots at Bristol. To enter into the details of those outrages, while inquiries into their causes were in progress, would, he said, be unseasonable ; but in so far as he himself was connected with these events, he stood in a different situation. He had been directly charged by the daily press as being the author of the late events at Bristol. If any part of this accusation were true, he should feel it his duty to retire from the House ; but the charge was false in all its parts, and known to be false by those who made it. These accusations against him had been promulgated in newspapers avowedly in connection with the government ; these prints had charged him with going to Bristol to exercise the functions of his judicial office, against the remonstrances of

his Majesty's government, and of the magistrates of Bristol ; yet every part of the statements so made, day after day, by papers in daily communication with the Treasury, was base, false, and slanderous. How stood the facts ? A deputation from Bristol, consisting of the sheriff and one of the aldermen, had waited on him, and had stated, that the person of the recorder, who, in the exercise of his official duties, should make a public entry into the city, would not, under the circumstances of the period, be safe. A conversation then took place, in the course of which he inquired, whether the magistrates could not furnish a constabulary force adequate to the maintenance of the public peace. In the opinion of the deputation a sufficient constabulary force could not be furnished. In consequence of this he desired the deputation to wait on the secretary for the Home Department ; and he had absented himself from the interview, in order that the noble secretary might put any inquiries without the restriction which his presence possibly might have imposed. The deputation accordingly waited on the noble secretary, and military assistance was furnished. The noble lord subsequently requested his attendance at the Home-office, and he did attend. Now, in the first instance, the information was conveyed to government that military assistance was requisite. On the second occasion, it was arranged that every thing should go on as usual ; this was done in the presence of some members of the cabinet, amongst whom, however, neither the noble lord (Althorp), nor the right hon. gentleman opposite (Mr. Stanley), were numbered. Thus, if government thought that military co-ope-

ration was necessary, and that it was also necessary to suspend the usual gaol delivery, there existed two opportunities for declaring the facts—one in his (Sir C. W.'s) absence, the other in his presence. He had in his own mind discussed whether by any mode the public ceremonial of his entry might be dispensed with, but he came to the conclusion that this was impossible. The noble secretary, he repeated, had agreed that all should go on as usual. Was not this, then, a flat contradiction of the charges which had been so flagitiously circulated against him?—charges not merely kept up in the daily prints of London for a fortnight—not merely diffused throughout the country by the veins and arteries of the public press—but at last echoed in Paris by one of the prints there. Not only did *The Times*, the *Globe*, and the *Courier* trumpet forth the calumny, but there was a replication of the notes on the banks of the Seine. The morning calumny of *The Times* was not eclipsed by the evening irradiation of the *Sun*. The *Courier* also took every opportunity of adding its comments upon his conduct in terms the most stringent and personally offensive—whatever, in short, malignity could devise. The Paris papers proclaimed that the recorder had been condemned by the *coteries*—to what coteries the Parisian journalist alluded, he could not divine. Of course the current of slander in Ireland kept pace with the rest. This must be considered a little provoking to any man—it was rather too much to put up with; but, notwithstanding, he should have deemed himself unfit to occupy the situation he did, if he had entered into any expostulation with the gentlemen of the press,

Had he entered into any such expostulation, he should have felt that he had degraded his character as a gentleman, and the commission which he had the honour to hold. It had been farther alleged, that he had proceeded to Bristol against the remonstrances of the magistrates, when they sent to Bath, beseeching him not to come. This charge, like the other, was utterly unfounded. The magistrates themselves were also abused for an irritating display of the military, whereas, in fact, the soldiers were not stationed in Bristol, but were placed under cover in the neighbourhood, and, but for the interference of the political union, their presence would not have been known to the people of the city. All unnecessary display of the military had been avoided by the judicious plans of the magistrates. He would follow the example afforded by the royal speech, and abstain from going into the consideration of what had subsequently occurred, simply stating, that he did not retire until the chief magistrate's feather-bed was taken from its accustomed depository, and used as a barricade for a window of the Mansion-house hall. All the transactions of Sunday and Monday had taken place after his departure from Bristol. He conceived that, under the circumstances which he had laid before them, he might presume that in the eyes of that House he had exculpated himself. If any hon. member were of opinion that he had failed in doing so, he might reasonably demand from the liberality, impartiality, honesty, and courage, which ought to characterize every member of that House, on whatever side he sat, that he should rise up and tell him what other course he could have pursued. To

what personal abuse would he not have been subjected by the many-tongued, foul-mouthed, and venomous press, if he had abstained from going to Bristol in consequence of threats of personal violence? The unions would loudly have declared, that he was falsely imputing to them the fabrication of tumults, and of tumults directed against the administration of justice, which had never been contemplated. They would have pronounced it the falsehood of an anti-reformer, the mere invention of his own baseness, and would have stigmatized him as a coward who framed lying calumnies to shield his own pusillanimity. It had been said, that the occurrences at Bristol did not spring out of reform, but had been perpetrated by delinquents ever ready to take advantage of any opportunity for plunder. He would not inquire at present how far these outrages were owing to the spirit which reformers had conjured up; he would only draw the notice of the House to a document by which the Bristol political union—a reform association—assumed to itself the power of deposing the magistrates and the recorder. This paper, which had been published on the 25th of October, set forth the surprise of the council of the union at the conduct of the corporation in having called in the assistance of the troops for the purpose of conducting the recorder into the city—a statement which was not true. It then stated, that, if the magistrates found themselves incapable of maintaining the public peace without military aid, it was their duty to resign, and allow the citizens to elect the municipal authorities. Who the electors were to be was not intimated; but here was an association telling the magistrates that they ought to resign,

rather than use the aid of the military for the preservation of the public peace. And this document, after recommending sedition, and worse than sedition, added a commendation to the reformers to respect the public peace! He could not join in the applause given by the seconder of the address to government for the “promptitude” which they had displayed in appointing the special commission, and had that word been introduced into the address, he must have moved an amendment. More than three weeks before the riots at Bristol, he had called their attention to what had happened at Nottingham, and had stated, that if persons were allowed to act on the principle of public vengeance, there would be found to be but a slight partition wall between Nottingham castle and the house of any other anti-reformer. It was the duty of government to have issued a special commission at that period, but hitherto the Gazette was silent. Even in the commission which had been issued for Bristol, how came it that the magistrates, and he himself, the recorder of the city, had been omitted? He had put in his claim to be included in it, as a matter of right, he had asserted that claim before the home secretary, and likewise the lord chancellor. He would not charge the government with being influenced by the wish personally to degrade himself and the magistracy; but he would say, that they had committed a grievous error in not including in the commission every person who was entitled, by the charter of the city, to assist at the gaol delivery—and all this was done to gratify the political unions, with one of which lord John Russell had corresponded, after it had

adopted a resolution approximating closely to high treason. It was those unions that had deposed the magistrates and recorder of Bristol. The only precedent in point to sanction this proceeding, had the name of Jefferies attached to it—a name which did not use to rank very high in general estimation. While he agreed with that portion of the king's speech which stated that his Majesty never could sanction any interference with the legitimate rights of the people to make known their grievances, yet, if the remainder of that portion were designed to apply to the Birmingham union alone, as the only association illegally constituted, he must pronounce the proposition to be equally ill-founded and ill-advised. The Bristol union was equally illegal; the associations which had declared hereditary rights unnatural, and the unions in London, from which sir Francis Burdett had withdrawn his name, were equally illegal.

Mr. G. Lamb, under secretary of state in the Home Department, disclaimed all connection with the libels of the Press, and all intention of impugning the chartered rights of Bristol. It had been to government a grave and serious question, whether the threats of violence called for an interruption of the regular course of the administration of justice. In the first of the interviews to which Sir C. Wetherell had alluded, two of the magistrates of Bristol had requested military assistance, which was accorded to them after their admission that the police of the city was unequal to the preservation of the peace. With respect to the second interview, it was much as it had been described by the hon. and learned member, with the exception of one addition, which he would supply, namely, that his

Majesty's government were never asked to pronounce an opinion, whether the sessions ought or ought not to have been postponed. All that was submitted to them was, the circumstance that there was not in Bristol a sufficient force for the maintenance of the public peace. A military force was therefore granted; it also moved to the spot, and was eventually found perfectly adequate to effect the object. He could only say, that whoever had brought accusations against the hon. and learned gentleman, he had not; and he believed that he could make the same assertion on behalf of every member of the King's government. He asserted, however, in opposition to the hon. and learned gentleman, that the government had displayed promptitude upon that occasion. Promptitude did not imply hurry—it meant that just speed which left time for the employment of all those means which were necessary to prevent a measure from being defeated. It was extraordinary that a lawyer of the high pretensions of his hon. and learned friend should use such strange language as had fallen from his lips, when he said, that after the walls of Nottingham Castle were burnt down, a special commission should have been sent the next evening by the mail into that county. Had his hon. and learned friend considered what previous inquiries were necessary before a special commission could issue? Must not the government know something about the number of prisoners taken, and the evidence against them? In this instance, it was not ten days since the depositions had been received in London, and yet he thought that a special commission ought to have been issued, even before the prisoners were caught, and their com-

mitments made out by the magistrates. The conduct of the government in sending the special commission to Bristol, was prompt; for it was sent at the very first moment that there was a prospect of its being brought to a successful issue. It was asked, why no commission had been sent to Nottingham. The propriety of issuing such a commission must be confided to the judgment of the executive government. Hon. gentlemen would see, without his explaining the reasons, how inconvenient and even injurious it would often be to the public service, to state why special commissions were or were not issued. They might discover something of a reason why a special commission had not been sent to Nottingham, in the fact of a reward being still offered for the discovery of the authors of the outrages which had been perpetrated in that town. As to the question, whether the names of the magistrates and recorder ought to have been inserted in the commission, the very fact of its having been demanded as a right made it impossible to comply with that demand; for how could government make any concession to judges, who claimed a right to act as such in their own cause? If ministers, from dread of the imputation of giving way to political unions, had appointed the recorder of Bristol a judge in his own cause, it would have been a most flagrant instance of their folly in being afraid of being thought afraid. He knew well, that although the recorder's name had been inserted in the commission, he would not have acted; but that could not be looked on as a sufficient reason for inserting his name, as it would have furnished a precedent for

other men similarly circumstanced, but not possessing the same high sense of honour. Nor was the omission unprecedented. There was a precedent much later than Judge Jefferies, and under a very different person. In 1769, a special commission was issued for the trial of a prisoner at Bristol. He was accused of having forged the name of the recorder to a bill drawn on an alderman of Bristol, so that when his case was called on for trial at the sessions, where the recorder and the aldermen were judges, it was found that it could not be tried, unless the recorder and alderman made themselves judges in their own cause. In consequence, a special commission was drawn up; in that commission the names of the recorder and aldermen were not inserted, but two of the king's justices were named in their stead; and when he told his hon. and learned friend, that the recorder of Bristol, and the person by whom it was drawn up, was John Dunning, he was sure that the value of the precedent would not be denied.

Sir R. Peel proposed the same amendment or alteration on that part of the address that related to the affairs of Holland and Belgium, which had been suggested in the House of Peers by lord Harrowby; and it was adopted. Besides adverting generally to the other topics in the speech, he protested against a precedent now established, which, if it were followed on future occasions, would be both bad and dangerous — he meant, the assembling of Parliament for the despatch of business, without giving the usual notice. He admitted that, by the letter of the law, government was entitled to call parliament together after fourteen days' notice: yet it was



laid down by the highest authorities, that, up to the period when the old law was altered, it was deemed of high importance that forty days' notice should be given of the meeting of parliament. Mr. Hatsell had stated, that though there was no express law, stating that so long a notice should be given, yet such was the danger of having members taken by surprise, that any minister who failed to give such a notice would be guilty of a misdemeanour, and liable to the censure of both Houses of Parliament. By the Act of 1797, the old law was altered, and government was enabled to call the parliament together after fourteen days' notice. Yet, though such was the law, the conviction of the necessity of giving the old length of notice was so strong, that, in the thirty years which had elapsed since its enactment, the shortest period between the summoning of parliament to meet and its actually meeting was twenty-three days, and that was occasioned by the necessity of ratifying the peace in the year 1801. He admitted that, when Mr. Pitt and Lord Grenville introduced the Act of 1797, they alleged that the greater facilities of intercourse, and also of communication, by the post, justified them in abridging the time of notice; but it ought not to be forgotten, that since that time the union with Ireland had taken place, the parliaments of the two kingdoms had been incorporated into one, and therefore, as a general rule, a longer notice than fourteen days ought to be given. For government, be it recollected, were always on the spot; they could tell their friends when parliament would meet, and, therefore, if the precedent now established were followed,

it might, in the hands of a bad minister, form a very dangerous precedent. If it had been necessary to take immediate precautions against the cholera, or to devise measures to put down the unions, or to frame new provisions to quell disturbances like those which had recently occurred at Bristol, then there would have been some show of reason for establishing such a precedent as the present. But the speech from the throne said nothing of the necessity of taking immediate measures on any of these matters. Reform, forsooth, was of urgent necessity:—admitted; but that necessity was as well known to the government on the 1st of November as it was fourteen days ago. At the close of the last session, parliament was prorogued, in the usual way, till the 22nd of November. Members left town, not so much to attend to their private affairs in the country, as to obey the injunctions contained in his Majesty's speech, by securing the tranquillity of their respective counties. Up to a late period, before the 22nd of November, it was the general impression throughout the country, that parliament would not meet for the despatch of business before Christmas. For reasons, into the propriety of which he would not enter, an alteration in the intention of government took place. Now, if the necessity for reform were so great as was now alleged, that necessity existed before the 22nd of November, and consequently members were entitled to a longer notice of the meeting of parliament than that which they had recently received. Other matters, which might have been thought to be urgent, were not even noticed. That they should meet with two

such questions as the renewal of the Bank Charter and of the East India Company's Charter, and that not one word should be said on either in the king's speech, did appear to him to be most extraordinary and incomprehensible. That they should discuss the question, whether the cholera was indigenous, or imported from abroad—a question involved in much uncertainty, and on which medical men would be the only good debaters,—and that they should leave the heavier matters of the Bank and East-India Company's Charter totally unnoticed, was one of the most extraordinary omissions that could well be imagined in what had been praised as a straightforward and manly speech. Of the allusion in the speech and address to the necessity of a speedy and satisfactory settlement of the reform question, Sir Robert said he would not object to it, as ministers had declared it was not intended to express any pledge. But though his most fervent wish was, that this question should be brought to a speedy and satisfactory settlement, he would candidly avow that he despaired of witnessing so desirable a consummation. He was afraid, that, in the different discussions on the reform bill, they had agitated principles which did not admit of any satisfactory settlement. If he could bring himself to imagine that the passing of this measure would be the conclusion of the agitation to which it had given birth, many of his objections to it would disappear; but it was his conscientious belief that the principles of the bill itself were so many impediments to the speedy and satisfactory settlement of the question of reform, which the mi-

nisters themselves had not the capacity to remove. "We are at issue as to the causes of the unsatisfactory state of the country. Of course, the advocates of reform say that it is attributable to us, who oppose their favourite bill. On the other hand, I tell you that it is to your measures, and to your measures alone, that it is owing; for you cannot shake the foundations of the ancient institutions of a country without producing discontent which will long survive the introduction of the measure which gave it existence. In the speech from the throne, what do I read? The admission of combinations against property, of distress, of suspended confidence, of embarrassed commerce, of interrupted and paralysed industry. I find in the speech the admission of a spirit of violence and outrage, which must be controlled by the power of the law, but which has hitherto only been repressed by the power of the sword. Do I hear anything of economy, of reduction of taxation, of reduction of estimates? Nothing like it. Do I complain of this? Am I of opinion that the estimates which will shortly be proposed for our consideration are greater than the emergencies of the state require? No; but I have no hope that true economy will ever spring from reform, or at least from that reform which introduces changes into our system, tending to unsettle all the principles of government. I hear sarcasms from various quarters, of the past measures of Tory governments. I hear invitations to us to attend public meetings, and to express our opinions on the great question which now agitates all bosoms—in the presence, I suppose, of the 150,000

philosophers of Birmingham. Alas! what a mockery of freedom of opinion and discussion is there! Has there ever been, in the whole history of the last century, any period in which such effectual practical restrictions were imposed on the freedom of speech, as have been imposed on it since the agitation of the question of reform? Believe me, sir, there are other tyrannies than those of individual despots. Who can deny their existence? Who can doubt their galling and oppressive character, who has seen the bitter and unrelenting animosity with which the populace have pursued many of those great and illustrious characters who acted the part of good subjects and honest men in the House of Lords, without the least suspicion of unworthy motives? And yet, can it be denied, that it was not safe for them to travel home to their country seats, after the conscientious votes which they had given in defence of the true interests of the people of England? What system of government can that be, in which you deny to your opponents the free exercise of judgment and of speech? You cannot propose changes extensive as those of your reform bill, without expecting, if you are reasonable men, that they will encounter opposition. You may denounce that opposition—you may visit it with confiscation, exile, and death; but so long as honour and courage exist among men—and in English bosoms I trust these qualities will find an eternal spring—you will not, you cannot, deter us from the expression of our honest opinions."

Lord Althorp justified the short notice on which parliament had been called together by the circumstances of the country, contending

that whoever looked at the existing state of excitation would admit, that ministers had exercised a sound discretion in assembling it at this unusual season, notwithstanding the public and private inconvenience which might be occasioned to individuals. Sir R. Peel had complained that the speech made no mention either of the Bank Charter or of that of the East-India Company. As to the Bank Charter, it had not been customary, when its renewal was necessarily brought under the consideration of parliament, to allude to it in the king's speech. At the same time he had no objection to state, that as the period at which the Bank Charter would expire was so near at hand, he should feel it his duty, in the course of the present session, to submit a motion for the appointment of a committee on the subject. With respect to the East-India Charter, there had been already a committee appointed on the subject, which would be re-appointed this session; but as the charter would not expire until 1834, it would not be necessary to introduce any more specific measure on the subject this year.

Mr. Hunt spoke of the distresses of the industrious classes, many of whom he stated to be destitute of employment, and many more to be employed at miserable wages. He thought that a great part of this distress was occasioned by the too hasty withdrawal of the paper currency, and by not reducing taxes in the same proportion that the circulation had been reduced. He therefore moved the following amendment, the object of which he declared to be, not to get rid of the address, but to give ministers time to consider, whether they would not depart from the absurd

practice of making the address a mere echo of the speech, and move one which had some meaning in it:—"That in the present critical and alarming state of the country, when trade and manufactures were reduced to such difficulties by the withdrawing of and narrowing the circulation, without a proportionate reduction of taxation, by which the incomes of all but those who lived upon the taxes were reduced one half in value, the greatest distresses existed; that these were aggravated by the baleful system called free trade, by which a competition of foreign silks, gloves, and other articles, was permitted with our own manufactures; that by these means the people were driven to desperation and phrenzy; and that to these causes were to be attributed those incendiary proceedings going on in the country; that for these reasons the House do adjourn, to give time to ministers to prepare a suitable address, taking proper notice of the state and condition of the country." As no member, however, could be found to second the amendment, it fell to the ground.

In pursuance of a notice given on the first night of the session, lord John Russell, on the 12th December, moved for leave to bring in a new reform bill. He recalled to the recollection of the House the declaration of Lord Grey, on the rejection of the former bill by the House of Peers, that he remained in office only with the view of bringing forward another and not less efficient measure of reform. The principle of the new measure was, therefore, to be the same with that of its predecessor. Any alterations which had been made, left its efficiency unimpaired. A resolution of the House of Commons

had been passed in favour of that principle, so that government, in proposing a measure of reform to that House, which already stood pledged by its former votes, must expect that it would reject any measure which was not conformable to its own settled declarations. It was only necessary, therefore, to explain the alterations in the present bill, and which regarded the manner of carrying into effect principles already adopted and sanctioned by the House.

These principles, as recognized in the former bill, consisted in the disfranchisement of decayed and inconsiderable boroughs, the enfranchisement of large and opulent towns, and the introduction everywhere of a new electoral qualification. To determine the boroughs which should be disfranchised, the former bill had taken the census of 1821, and had fixed on a certain amount of population, disfranchising all the boroughs whose population did not reach that amount. Since then, a new census had been completed, which could not be thrown out of view, but which, at the same time, was liable to objections; because, having been taken after a particular point of population had been fixed as that of disfranchisement, it was not improbable that pains had been taken to raise individual boroughs above the line of disfranchisement. Ministers, therefore, had determined to take the number of houses, rather than that of inhabitants, it being less likely that improper practices would be adopted in regard to the former than to the latter. When the census of 1821 was adopted, it was supposed that the difference of the limits between the different towns and the limits of the different boroughs would not

be so great as to produce much variation. It had appeared, however, in the course of the late discussions, that the difference was great indeed, and it was found difficult to draw a line which should mark where the census should be attended to, and where it was to be disregarded. Ministers, therefore, had used every means in their power to obtain a correct account of the size and importance of the boroughs which were to be abolished, and, in doing so, they had found no small difficulties to contend with. Where there was a borough containing all the town, you took the number of houses of the town as the number of houses of the borough, and obtained a satisfactory result. But where the town had extended beyond the limits of the borough, it would be wrong to say that because you had taken all the houses of the borough, and they were below a given mark, therefore the town was not to be allowed that importance in the scale of representation to which its growth entitled it. It was often a matter of difficulty to ascertain what that importance really was; and ministers had called in another test to obtain a comparative view of the importance of the different boroughs, and also to prevent an inconsiderable place, with a number of low houses, obtaining any advantage over another place with a smaller number of houses, but of more respectable houses. This additional test was obtained by taking, along with the number of 10 $\frac{1}{2}$  houses, the amount of assessed taxes as stated in the returns for the present year. Great assistance had been derived from the diligence and attention of the gentlemen who had been sent into the country as commissioners to ascertain the

limits of the different cities and boroughs. Letters had likewise been addressed to the returning officers of the different boroughs; the answers received had in general been fair and explicit; and even where the commissioners had made corrections, these corrections were generally required, because the mayors had made their towns not too large, but too small. These letters had been referred to one of the commissioners, Lieutenant Drummond, in order that all the information, whether acquired from them, or from the labours of the commissioners, might be reduced into a compact and comprehensible shape. This being done, Lieutenant Drummond had farther been requested to make out a list of one hundred boroughs, beginning at the lowest, and ascending upwards, taking, as the compound test of their importance, the number of houses which they contained, and the amount of assessed taxes which they paid. On these data schedule A of the new bill was to be founded.

The drawing of the line at which disfranchisement should stop, his lordship said, must necessarily be arbitrary, whether the population, the houses, or the amount of assessed taxes, or the number of boroughs was taken into consideration. It had appeared to Ministers, that they could not do better than take the number which had been fixed last session as the number of decayed and inconsiderable boroughs. They therefore proposed to strike off fifty-six, the number which stood in schedule A. of the former bill. The consequence of this determination would be, that some of the boroughs, which formerly escaped disfranchisement in consequence of the



population of their parishes being large, though the boroughs themselves were inconsiderable, would now be placed in schedule A, whilst others would be raised out of it, and placed in schedule B. The boroughs which would be placed in schedule A, in consequence of this change, were Aldborough, Yorkshire; Amersham; East Grinstead; Okehampton, and Saltash. Concerning Ashburton, the last of the fifty-six, there were some doubts, occasioned by the doubts as to the limits of the borough. Supposing Ashburton to be one of the fifty-six, then the boroughs raised out of schedule A into schedule B were Midhurst, Petersfield, Eye, Wareham, Woodstock, and Lostwithiel, these boroughs under the new criterion, appearing to be of greater importance than was deemed to belong to them under the criterion adopted in the old bill.

Another part of the disfranchising clauses of the bill regarded the boroughs in schedule B, which were to be deprived of only one of their two members. This class depended on very different principles from those which governed schedule A. The boroughs in schedule A were disfranchised because they could have no free election; but the boroughs in schedule B were placed there from an idea of the propriety of not giving to the smaller boroughs such a large share in the representation as they possessed at present, and with a view of diminishing the numbers of the House. The opinion of the framers of the bill as to the propriety of diminishing the share which these boroughs had in the representation, remained unchanged. With regard to the propriety of filling up the numbers of the House, it had been matter of serious consideration with them,

whether, as the vacancies occasioned by the disfranchisement of the boroughs had been filled up so far as to give to the house only twenty-three members less than those which now constituted it, it might not be of greater advantage to leave its members undiminished in number, especially as those who objected to the diminution of the House might be conciliated without sacrificing any of the principles of the bill. One of the constant objections made to the bill of last session was, that many of the large towns which were enfranchised, having only one representative, would remain in a state of discontent, until they received the privilege of each returning two representatives. Without yielding all the force of that argument, it was evident to the framers of the bill that a great advantage would be gained if, by giving a second member to those towns, the objection was in some degree obviated; and the larger of the towns would be placed in a still better situation. Ministers, therefore, had resolved to give an additional member to a certain number of the boroughs in schedule B, taking the number included in that schedule to be forty-one, as it had been fixed last session, and divide the rest of the twenty-three members, with two exceptions, among the newly enfranchised towns which, under the late bill, were to have only one representative. Of the twenty-three members required to fill up the numbers of the house, it was proposed that ten should be given to the most considerable towns in schedule B, one to Chatham, so as to render it independent of Rochester, and another to the county of Monmouth, from which there had been

several petitions, stating that there was only one district of boroughs in that county, though its population exceeded 100,000. Thus were twelve of the twenty-three disposed of,—the rest were given to the large towns to which the late bill gave one representative each. The consequence was, that there would only be thirty boroughs in schedule B instead of forty-one, and thus in schedule C, instead of twelve members, there would be twenty-two. Instead of there being sixty-nine places, as by the old bill, there would only be forty-nine places returning one representative each.

His Lordship then proceeded to the 10*l.* qualification clause, which he considered to be, in its principle, altogether unassailable, bringing into the constituency of the country those who were best qualified to exercise the electoral franchise, while any attempt to raise the qualification in large towns, and to diminish it in small towns, would have created a set of scot and lot boroughs on the one hand, and, on the other, would have alienated from the government a large mass of active and intelligent persons whom it was desirable to conciliate. The only question respecting this clause was, whether it was so framed as to enable those on whom it bestowed the franchise to exercise it; and he believed, that whenever it should have been attempted to reduce that clause into practice, it would have been found abortive. As it stood in the last bill, the right of voting in boroughs was to be enjoyed by occupiers of houses assessed to the house duty or poor's rate at 10*l.*, or rented at 10*l.*, or of the annual value of 10*l.*; but then this right was afterwards limited thus:—that no one, whose

landlord compounded for the rates, should be entitled to vote, unless he claimed to be rated in his own name; and that no one should be entitled to vote for any premises, unless he had occupied them for twelve calendar months, and had not been in the receipt of parochial relief during that time. He now proposed that every one who occupied a house of the value of 10*l.* should have a right to vote in behalf of it, provided he was rated—not that he should be rated at 10*l.* but that he should be assessed to the poor rates; and then the only question to be decided would be, whether he was the occupier of a house or warehouse of the value of 10*l.* a year. It would likewise be enacted that any person who was not rated to the poor rates might demand to be placed upon them, and being so placed upon them might claim to be put on the registry. The mode of ascertaining the value of the house where any dispute arose respecting it would be, that, on a fixed day, as in the former bill, the barrister to be appointed for that purpose would hold his court, and would there examine as to the value of premises for which parties claimed the right to vote, and he would decide as to whether all the names placed on the list by the overseers should be allowed to remain, and whether any others of those claiming should be added.

In other matters, too, connected with the right of voting, the present bill would be found to differ from the last, though most of what stood in the latter was still allowed to remain. One great objection to the former bill had been, that, in depriving freemen of the right of voting after the lifetime of the present possessors, it would have



the effect of destroying all corporate rights. The former bill allowed the existing and inchoate right to remain during the lives of those now in possession. The present bill did the same, but it went one step farther, which, without affecting the general principle of the measure, was a most important point as regarded the right of members of municipal corporations. It was, that the present bill would preserve for ever the rights of freemen, acquired by birth or servitude. It was not intended, however, to change the provisions of the late bill with respect to non-residence. Non-resident freemen would not be allowed to vote, and that part of the former bill which declared non-residence to be a residence of seven miles from the city or borough would remain unaltered. Another change related to returning officers, about which some difficulty arose in the committee on the late Bill. It was this—that in any case where his Majesty might grant a charter of incorporation to any of the new boroughs to be created by the bill, such as those in schedule C, it was intended that the mayor or other chief officer of such corporation should be the returning officer of such borough. It was thought much better to unite the voters in such boroughs in a corporate form on liberal principles, the same as those of London, and some other large and populous places, than to leave them the right of voting without such corporate form. There might be some difficulty in arranging all the details of creating so many new corporations, but they were not insurmountable. Another right reserved in the bill related to the rights of freeholders in cities being counties in themselves. The free-

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holders were of three classes. Some voted in the county at large; others voted only for the county of the city or borough; and others did not vote for either. It was intended that those who voted for the county at large should remain undisturbed. Those who voted for the county of the city would also be allowed to continue that vote; but those who by the former bill were not to be allowed to vote for either place, would now be allowed to give their vote for the county in which the city or borough happened to be situated. By the late Bill commissioners were appointed to make inquiries, and to ascertain the limits of boroughs. The reports of these commissioners would be laid before Parliament, and Parliament itself would determine the limits of each. It would not now be necessary that this matter should be left to the commissioners. In consequence of the inquiries already made on this subject, and which appeared to have been conducted with very great ability, a mass of information had been obtained which he hoped he should be able to lay before the House soon after the Christmas recess. By means of this information, they would be enabled to prepare a separate bill, and thus parliament would determine by its own judgment, and not leave it to the judgment of others to state, what boroughs should have their boundaries enlarged, and to what extent the enlargement in each case should be carried. There were other alterations of minor importance, and some verbal changes to which it was not necessary particularly to allude, as the discussion of these would come on more properly in the committee; and into any discussion of the ge-

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neral principles on which the measure was founded it would be improper to enter, as a more fitting place would be found for that discussion at another stage of the bill.

Sir Robert Peel, for his own part, was willing to take the decision on the second reading; but in one thing there must be, without discussion, one unanimous feeling on all sides, that of gratitude at the great escape which the country had had from the bill of last session, a danger which he had never fully appreciated till now. The new bill, now about to be introduced, was a full and complete answer to the calumnies of which they had heard so much in the last session against the factious delays, as they were then called, of those who sought to introduce some of those very modifications now adopted by the noble lord who brought forward the former measure. The advantage of those much maligned delays and objections was now visible in many parts of the new bill. On looking at schedule A, there was scarcely an amendment which had been offered from the opposition side of the House, which had not been adopted. The principle of population was abandoned—as far as the census was taken, that of the present year was preferred to the census of 1821—the preservation of the rights of freemen, and many other modifications which the opposition had struggled in vain to introduce last session, were now voluntarily urged by the noble lord as so many improvements in his plan of reform. He would not stop to inquire why when five boroughs were taken out of schedule A, as many more should be added, so as to make it contain the exact arbitrary number of fifty-six, as it

stood in the last bill. He would not examine why the number of boroughs having but one member each should be reduced from sixty-nine to forty-nine, nor would he enter into any inquiry as to the cause of the change in the right of voting in cities and counties; but, leaving all these as matters for future discussion, he must congratulate himself and his friends on the opposition they made to the last bill, of the effects of which they had now such unquestionable proofs. He was not surprised that the noble mover should have been so severe on the late bill; but he owned he was not prepared for such a sacrifice to the *manes* of the late parliament as the adoption of the resolution of General Gascoyne, by keeping up the number of members in the House undiminished. It was said that the 10% clause was still maintained. He did not object to that which determined the class of voters in cities and counties, but he attached less importance to the accidents of the clause than to the clause itself. The ground of the right of voting was, that the party claiming it should occupy a house of the yearly value of 10% and be rated to the poor's-rate. He did not see how that differed from the clause as it stood in the last bill. In that clause rent and assessment and yearly value, were introduced; and he at that time stated his opinion that rent alone would be the fairest as well as the simplest mode of ascertaining value; for value would involve difficulties from the differences which would exist amongst many as to what that value was. After all that had been said in the House and out of the House, as to the nature and alleged object of that opposition, what was at length the result? It

was now declared to be the deliberate conviction of the king's government that the objections the opposition took were well founded. Whatever might be his objections to the bill which was now about to be introduced, he rejoiced, for the sake of the character of those on that side of the House with whom he had the honour to act, that such a triumphant refutation was brought forward of the charges which had been made against them. He for one rejoiced at the delay which had taken place, not only on account of the amendments which had been made in the details of the bill, but because if the House should determine, on the second reading of the Bill, to adopt the principle of the measure, and to make so extraordinary and extensive a change in the frame and constitution of the Government of this country, he could not help thinking, that when they approached the discussion of the details there would be a disposition on the part of the majority of that House to follow the course of the king's government, and to introduce more amendments into the measure. Another, and a great advantage, arising from the delay was, that they would now have an opportunity of discussing this important question in a state of greater calmness, influenced by less excited feelings, and altogether under circumstances better calculated to enable them to arrive at a wise and dispassionate conclusion.

Lord Althorpe, on the other hand, could not recollect that a question had been moved from the opposition side of the House with respect to any of the alterations which had since been made in the bill. Ministers had certainly given

their attention to every reasonable suggestion with regard to the details of the bill; and many of those alterations which were now proposed might have been pressed upon their consideration; but he did not remember that an opportunity had been given them from the other side of the House, during the last session, to adopt such alterations. When Ministers brought forward the measure, objections were raised to some of its details, and various improvements were proposed in it. The bill having been thrown out, they employed the interval which had since elapsed in endeavouring to remove all reasonable objections to the details of the measure, and in introducing such improvements as were consistent with its great principle; and because they had thus attempted to render the measure as perfect as they could, the right hon. baronet now taunted them with their conduct! Would it have been the conduct of men of sane minds, when time for consideration with regard to a measure of this description had been forced upon them, not to employ it in endeavouring to remove all the reasonable objections which had been raised to the bill? The giving up the clause regarding the commissioners was a necessary consequence of the fact of the commissioners having now made their inquiry. This was the reason, and the only reason, for the omission of that clause. Great alterations were said to have been made in schedule A. Now fifty-one boroughs out of fifty-six remained as before, and whether the alteration which was proposed to be made as to the other five would be advantageous or disadvantageous, at all events it was not one from which he thought

that the right hon. baronet had much reason to congratulate either himself or the country on having had a great escape. The 10 $\frac{1}{2}$  clause, again, it was admitted, suffered nothing from the alteration which had been introduced into it. The fact was, that the clause had been merely simplified in its wording and provisions; but in its practical effect it was still precisely similar to that contained in the late bill. The main principle of the bill remained precisely the same as it was before, and in all points of material consequence the present bill would be precisely similar to the late one.

In answer to his lordship, Mr. Croker expressed his surprise that the recollection of the chancellor of the exchequer should be unable to furnish him with any instance of the alterations now adopted as improvements having been suggested by the opposition, and resisted by ministers and their majorities. Had he forgotten the vote regarding Aldborough in Yorkshire? On the last night that the late bill was in committee, it was proposed that Aldborough should be transferred from schedule B to schedule A, and that motion was lost by a large majority, who would no doubt now be ready to place Aldborough in that schedule. Had he never heard, in the discussions on the late bill, mention made on that side of the house of the borough of Northallerton, and did he forget that it was contended by the opposition that the principle as applied to that borough was perfectly fallacious, and that it ought not to stand where it did in the bill? The voice of the opposition was upon that point resisted, and Northallerton was left in a position where it should not be. Had he never

heard of the injustice which was committed in placing the borough of Morpeth where it was? Had he never heard, then, of such a word as Calne? If the same rule had been applied to Calne, which had been applied to other places, it would have been placed either in schedule B or schedule A. In the late bill the strict rule as to the limits of boroughs had been applied to Guildford and Dorchester, but Northallerton and Calne had been allowed to swell their numbers by the addition of the population of the neighbouring parishes. In fact, he did not remember a single point of those details in the former bill, that had been brought to a division, which was not now conceded. He was ready to admit that the alterations which were proposed appeared to be improvements on the old bill, but his objection to the principle of the bill remained as great as ever.

Similar language was held by the other opposition members. They declared that no improvements of detail could reconcile them to the mischievous principles on which the bill was founded, and which they were determined to meet with the same hostility which they had formerly opposed to it. The adherents of ministers were perfectly satisfied with the present bill, as they had been with the last. Some of the Irish members, however, complained loudly that injustice was done to Ireland in not allowing her a greater number of members. Under the former bill, when the members for England were to be reduced considerably below the point at which they would now stand, Ireland was to have had 105 members. To England twenty-three additional members had now been given. Scot-

land was to be raised from forty-five to fifty-three; but Ireland was still to receive only the 105 which had been allotted to her under very different circumstances. The bill, however, was read a first time without opposition, and the second reading was fixed for the 16th, Lord Althorpe having stated the intention of ministers to be, that, so soon as the bill had been read a second time, the House should adjourn for the Christmas holidays, and that the introduction of the Scotch and Irish bills should be delayed till after the recess.

On the 16th, the motion that the bill be now read a second time was met with an amendment moved by Lord Porchester, that it should be read a second time that day six months. He had hoped, said his lordship, that ministers would have presented to parliament a bill so framed as to receive the almost unanimous assent of the legislature. Feeling as he did, that, in the present excited state of the country, all extravagant party views and recollections ought to be abated, and that the harshness of party opinions should be mitigated by a spirit of mutual concession, he would have gladly hailed the introduction of any well-regulated reform. Ministers had thought fit to pursue a different course; they had refused to put it in the power of even the least hostile of their opponents to return the sword into the scabbard. The adoption of the census of 1831, and the perpetuating the privileges of free-men were improvements; but with these exceptions, the present bill contained all the defects and evils of the former, and contained them in some instances, wofully aggravated. The qualification rested on a basis even more objectionable than before.

Twenty additional members were given to towns; only one to the counties, and that one to the county of Monmouth. The landed interest would thus suffer more than they would have done under the former bill, and the present, therefore, was still more democratic. So long as the national institutions were in harmony with the property of the country, he was not apprehensive of any disorganization of the constitution; but if that constitution were made more democratic than it now was, a contest would ensue between property and numbers, in which either property would break down the representative institutions opposed to its safety, or these institutions would break down property. To separate power from property was the secret motive of the revolutionary impulse in so many states of Europe. In the natural progress of the democratic institutions of America, the federal or conservative party, once so powerful, was now nearly annihilated. The same would be the case in England, if once we converted our mixed constitution into an unmixed democracy, blindly responding to the passions of the people, and deaf to the still small voice of reason. To produce this democracy was the whole tendency of the measure now proposed; and while ministers thus increased the democratic power on the one hand, they were destroying, on the other, those protecting influences by which the institutions of the country had been so long strengthened and supported. They were unnecessarily creating a large popular constituency in the metropolis, where it was less required than in any other part of the kingdom, and where, most of all, its existence was likely to be mischievous, and least under con-



trol. The creation of this new democratic power was the less necessary, seeing that the agricultural or landed interest was in itself weak, incapable of simultaneous action, and easily overcome. Instead of strengthening a power already too strong, the policy of government should have been to add to that which was confessedly weak.

The debate which followed was continued by adjournment on the 17th. The principal speakers in defence of the bill were Mr. Macaulay, the chancellor of the exchequer, Lord John Russell, and Mr. Stanley; while the amendment was supported by Sir E. Sugden, Mr. Croker, Sir C. Wetherell, and Sir Robert Peel. Sir E. Sugden, who seconded the amendment, joined with Lord Porchester in characterizing the bill as being still more democratic than its predecessor, and equally unfounded in any sound principle of the constitution, though some of the alterations made in matters of detail were changes for the better. There were other changes, however, and in far more important particulars, which were alterations greatly for the worse, even setting aside the essentially mischievous and unconstitutional tendency of the whole measure. Its general result, in the first place was, that it gave sixty-six members to the agricultural interest balanced by sixty-three given to the towns; but it did so only after having deprived the proper conservative interest of the country of no fewer than a 144 members. The former bill had provided that voters in cities and boroughs should not be entitled also to vote as freeholders in the counties in which such cities and boroughs were situated; but,

under the present bill, they might exercise this latter right; and thus the weight of the population of the towns would be thrown into the counties, where it would often be powerful enough to decide the contest against the rural population. If government had really intended to preserve the balance between the agricultural and manufacturing interests, they would have confined the copyholders and leaseholders to those towns in which their freeholds were situated, excluding them from the right of voting for counties. A similar deviation from the former bill had been made in regard to cities which were counties of themselves, the weight of whose town population would be brought to bear upon the counties, and this, too, with the counties divided, and being able to oppose to it only half their property and strength. The proper agricultural interest would possess very little influence over the members given to the counties, and none at all over the members given to the large cities and great towns. He objected, too, to the disfranchisement of those 40s. freeholders who were as yet possessed of the right of inheritance. This provision would not be any efficient remedy for the evil which it was intended to meet, viz. the creation of fictitious freeholds; while it would strip the poor of England of the franchise which they had enjoyed since the time of Henry VI. Nor did the 10*l.* qualification, which was now to be introduced as a substitute, recommend itself by any superior excellence. As the bill at present stood, there must be a valuation of every house in England by surveyors and valuers. There was nothing more changeable than value. A house worth

10*l.* one year, might be worth less the next, and it would be absolutely necessary that there should annually be a valuation of every 10*l.* house in England. The consequence would be endless litigation and disputes, and the holding out a great temptation to extensive perjury. Under the former bill it was required that the premises, the occupation of which was to give a vote, should have been the same during all the twelve months; but now it was provided that they might be different premises held in succession. This would call into existence a mass of voters, the great majority of whom had a very doubtful right, and even weekly lodgers might claim the franchise. Landlords, too, who were likewise the employers of persons tenantry their houses, had only to raise their wages ostensibly, while they raised the rents in the same proportion, and thus create fictitious votes. Then there would be a general registry every year, which would be little less than tantamount to a general election. If the people were driven annually to so troublesome and expensive a proceeding, they would not long bear it, unless they were likewise allowed to exercise annually their right of voting; and the result would be annual elections and annual parliaments. Another most objectionable result of the bill would be, that every overseer of a parish would become a political officer. Let any one only read the bill, and then think in what a relation the overseer of his parish would stand to him. The overseer had a right to object to every vote, for there was nothing to prevent him from writing the words "objected to," opposite to any man's name in the list. The party must then appear,

and clear his title, or lose his franchise. It was impossible that the overseer could himself do all that was required of him; they would have recourse to attornies, and attornies would have their bills, to which the overseer could have no objection, for all was to be paid out of the poor's rate. Whoever got hold of the overseer would possess the political power of his neighbourhood, and the office would now be as much sought after as hitherto it had been avoided. After advertizing to other parts of the arrangements of the bill, Sir Edward expressed his opposition to its whole principle as being both uncalled for, and incompatible with the safe existence of other essential parts of the constitution. He was not opposed to a rational and temperate reform, but to this one he could not give his assent. His Majesty's Government had placed this question in a position in which it had never stood before. Its opponents were willing to yield something, but not all that was required, because of the danger they apprehended; for now they were about to remove all the old barriers of the constitution, and he would say that there never was a country of civilisation and wealth like this, which had ever attempted to frame a constitution such as that now proposed.

Mr. Macaulay, the most rhetorical of the defenders of the bill, though not so ready and expert a debater as Mr. Stanley, contended that, since it was admitted even by the opposition, and put forth by them as the justification of their continued hostility, that the principles of the bill were unchanged, they had no reason for the exultation in which they had already indulged over the minor alterations,



as if ministers had abandoned their own plans to adopt theirs. Had it been so, discretion and decency should have prevented the utterance either of sounds of triumph or sneers of derision by men who, when ministers, had gradually adopted all the plans and proposals of the then opposition, and had carried off all the merit that attached to them, though for years before they had obstinately resisted them. He had supported the former bill, and he supported the present; but in doing so, he did not recant one iota, for he supported both on exactly the same principles. The new bill he acknowledged to be an improved edition of the first, but the first was undeniably superior to it in one point, inasmuch as it was the first, and was, therefore, the more likely to cement a reconciliation between the refractory aristocracy and the exasperated people. The mischief of delay was sometimes greater than the advantage of improvement; and the present was a case to which the remark, in its fullest extent, applied; for it was to be feared that the consolidation of the two classes would not hereafter prove so complete or satisfactory, and that a long time would elapse before the rancorous feeling arising from one unlucky decision should have altogether disappeared. It was asked why they had the temerity to legislate in haste. He did not mean to dispute, that a hurried settlement at a season of excitement, might not be wholly unaccompanied with evil; but if so, the responsibility must be with those who had pertinaciously withheld concession, when no such public excitement was apparent. The time was at last arrived, when reformers must legislate fast, be-

cause bigots would not legislate early—when reformers must legislate in excitement, because bigots would not do so at a more auspicious opportunity. Bigots would not walk with sufficient speed—nay, they could not be prevailed on to move at all; and now, therefore, the reformers must run for it. Those parts which, in his eyes, constituted the best recommendation of the late bill, were also to be found in the present; it gave the right of representation to sundry large constituent bodies, which were entitled to such a privilege, while it withdrew it from those bodies which had been long since disqualified from its constitutional exercise. At the same time, it would extend the franchise to all who had a reasonable claim to be invested with the right of suffrage and would materially diminish the expenses of elections. It had often been pretended that nomination boroughs were valuable, because they enabled rising men of talent to take a station in that House, from which, but for them, they would have been virtually excluded. On this principle, the civil polity of Sparta might be preferred to that of Athens; and the constitution of Venice was as much to be esteemed as that of Florence, for the less eligible system of government in both cases had been equally prolific of illustrious men. But after all, how stood the case at home? Why Westminster, Southwark, Liverpool, Bristol, and Norwich, returned two members each by a popular form of election, and yet these cities, within a very recent period, had been represented by Mr. Burke, Mr. Fox, Mr. Windham, Sir Samuel Romilly, Mr. Canning, and Mr. Huskisson. He was willing to take the five first or

the five last, or any five boroughs in schedule A, and he would challenge any hon. gentleman opposite to exhibit from amongst the members they sent to parliament a list of names equally influential. It was no doubt difficult for needy men of abilities to enter the House from the expensive hustings of a popular election; but that fact only proved the more decisively the urgent necessity of a searching reform in the representation. How monstrous was the pretext, that they ought to uphold the crying grievance of Old Sarum on account of the turmoil and extravagance that attended contested elections in the town of Liverpool. The expenses of such elections, however, would be considerably diminished by the provisions of the bill, and in one place which he could name, he had the best reason for believing that they would be reduced in the proportion of 18,000*l.* to 1,800*l.* But whatever the consequences might be, the concession must be made, if government was to be stable, and property secure. At present there were two parties in the country—a narrow oligarchical power above, which exhibited all the vices that arose from abuse of power; and an infuriated multitude below, which equally developed all the vices that originated from distress and destitution. The one party sought to hallow a system of corruption with the same sacred character which a civilized community ascribed to the right of property; and the other was clamouring against property itself. He feared not a collision, for between these extremes was a third party, infinitely more powerful than either, which, though vilified by both, would save both from the consequences of their own infatua-

tion. This was the party which had supported the first reform bill, and which he hoped would be found to rally with equal zeal and readiness around the second. It was of the middle class, having the flower of the aristocracy of England in their front, and the flower of the working body in their rear. This party would have reform, and it would not have revolution, it would mediate between the others, and it would enforce its mediation. A struggle was at hand, and it must terminate ere long; but whether happily or otherwise, was still to be decided. The time was now arrived when great concessions must of necessity be made to the democracy of England, and how far it might operate for evil or for good came at length to be a secondary consideration; for the boon must be granted, be the consequences what they might. Society was under the influence of a great universal movement; those who appeared to lead were in reality borne onward by an impelling influence from behind; and whoever should endeavour to resist it would be infallibly borne down, and trampled on by the advancing mass which they fondly thought to have impeded. It was not by absolute, but by relative, misgovernment that nations had been driven to madness. Louis XVI. of France presided over a much more constitutional system of government than did his predecessor Louis XIV., and yet the one monarch enjoyed popularity through his whole lifetime, while the other was dethroned and dragged by an insulting rabble to an ignominious scaffold. In our own history Charles I. was a more amiable and less despotic monarch than Henry VIII.; while the second James was

not half so intolerant or tyrannical as his predecessor Edward VI. It would have been impossible for the Stuarts, with all the vigour of Richelieu and the craft of Mazarin at their command, to have governed England with the high hand of the Tudors; it would have been equally impracticable for the first princes of the house of Brunswick to have ruled their dominions on the same arbitrary principles which influenced the Stuarts; and vain was the attempt, in these times, to coerce the people, as they were controlled by the first princes of the Brunswick dynasty. Society could not always continue in a state of infancy; men could not now be amused with rattles and wrapped in swaddling-clothes, and terrified with bug-bears, as was the case at a former era; they might not be happier, they might not be better, but they were no longer the same, and no longer could they be subjected to the same treatment as before. There had been a change in the society, and not in the government, and what could be done to prevent reform, when it was sought by the people? You could no more stifle the cry than you could retrograde to the times of the Tudors or of Louis XIV. You might make the change more tedious, and you might make it more violent and more bloody. Such objects of the human mind could not be deferred long, or if deferred they did not end in nothing. When the season was accomplished, great events would not tarry. By fair means or by foul, either through parliament or over parliament, the question of reform must be carried.

Mr. Macaulay was followed by Mr. Croker, who said that the doctrine now set up of the existence of some terrific and uncon-

trollable necessity put an end to all argument and all consideration. The House was told that they had no choice; they must embark. But did those who used this language know any thing of the end of the voyage? They were told to throw open their gates, lest the enemy should force an entrance by the breach; but no security was given that, if the gates were opened, we should be safe from massacre and plunder. If it could be said, 'open your gates, for here is a bill, a kind of convention, the conditions of which the invading army will observe,'—it might be well. But all that had been said amounted to this, that the leaders would be content—that the whigs wished the bill to be final—but that, so far from being the efficient leaders, able to answer for their followers, they were merely the foremost of a throng pressing upon them, just as they, under this extraneous influence, were pressing on the House. Ministers, too, were the very last men who could be entitled to plead this extraneous influence, for they themselves had laboured hard to create and to foster it. One meeting came to a resolution to pay no taxes; another declared that hereditary rank was an abuse which should no longer be tolerated: yet from and with meetings like these, members of the ministry had accepted of thanks and bandied compliments, instead of manfully telling them that with men who preached such doctrines they could not, as honest statesmen, hold any communication except to assure them that the whole force of government would be applied to discourage and repress their seditious and anarchical determinations. Lord Althorpe and Lord John Russell did not see in these assem-

blies a mob urging on their leaders—a dictatorial despot, whose demands they would be bound to perform, though it now treated them with cajolery and flattery. In the great body of men who resolved to resist the payment of taxes, and who voted permanent rank an abuse, they saw not the future butchers, but the present flatterers. Poor innocent souls; they could perceive nothing but good humour and good nature:—

“Pleased to the last, they cropped the  
flow’ry food,  
“And licked the hand just raised to  
shed their blood.”

To expect firmness from such a government in restraining the violence of demagogues, and stemming the torrent which they themselves had assisted to overflow its limits, was futile. Ministers might talk of their determination to protect persons and property, but where was the proof of it to be found? Let Bristol, Derby, and Coventry answer. No; they had not even the power to protect their own dignity. Their privacy was assailed at noon and at night; they were publicly insulted by addresses of combinations of people who refused to pay taxes. Even on a certain day, when his Majesty was advised to issue a proclamation against these societies, and to exert the vigour of the constitution to repress their improper, he had almost said treasonable, practices, this Birmingham Union,—not waiting respectfully till his Majesty’s proclamation appeared, putting an end to their seditious parliament,—for that would have had the appearance of obeying the law, and would have been dangerous as an example of subordination,—but being apprised that a proclamation was about to come out, they repealed,

the evening before, those of their regulations which the proclamation might have reached. At Derby, the gaol had been attacked, and saved by the courage of one man. In another place, the life of a wife and a mother had been sacrificed to rioters, who drove her from her home, that they might consign it to the flames. At Nottingham, a mob, after giving some hours notice of their intention, destroyed a castle belonging to a nobleman, although it was not his place of residence, but consecrated to purposes of charity. It mattered not. He was a borough-monger, and therefore his property was to be destroyed. Had any special commission been issued to inquire into these transactions, all of which had preceded the more widely destructive scenes at Bristol? If government had vindicated the dignity of public justice at Nottingham, and the dignity of human nature and national feeling at Derby, the outrages at Bristol never would have taken place. Who had been punished for the outrages at Bristol? What had yet been done? If the order of proceedings had been inverted—if the special commission to try the Bristol rioters had been issued for the 6th of December, and parliament had been appointed to meet on the 6th of January,—it would have been more to the purpose. The first person against whom any proceeding was taken was the recorder of Bristol. He was branded in all the newspapers, with the silence, if not with the consent, of Government, as the chief criminal, instead of the victim; and it was only now that Ministers had, at length, done tardy justice to the learned individual who had been thus unfairly attacked. And if Ministers thought

they would themselves escape from the tempest which they had raised, let them only look to what had lately occurred in France, and learn their error. Every body knew that there had been a glorious revolution in France. The three great days had given it a reformed constitution. The reform was a most extensive one; but what had been the result? Not a month had passed since the establishment of that reformed constitution which was to settle every thing, and against which not a murmur was to be heard, but what had witnessed a popular sedition in the seat of government. Among the persons who had become Ministers in France since this glorious revolution, was M. Guizot. He was a favourite of the people, and was carried on their shoulders during the three days. He enjoyed the confidence of a regenerated king and a regenerated people, but he had been only a few months, he believed he might say weeks, in precarious power, to which he had attained by steps made slippery with blood, when, like a man of sense and honour, he turned round, and said that he would leave the government to which he belonged, because he found himself unequal to stop the torrent of the movement. Could it be hoped that any English Guizot would be able to stop the popular movement in this country? Could a Lord John Russell do that in England which M. Guizot, with all his ability, had failed to do in France? There had been a lawyer, too, voluble, bold, clever at any thing in the ring; he spoke at the bar, and in the House, he wrote pamphlets, and he wrote in newspapers. By a sudden revolution he was made Keeper of the Seals. M. Dupin was a distinguished man.

His triumphs in oratory were only equal to his triumphs in literature, and the latter could only be surpassed by the popular acclaim which attended him wherever he showed himself,—so grateful were the people for his regenerating and reforming efforts. One day he appeared in the Chamber with his face pale, and hair dishevelled; and on being asked what was the matter, he said that because he had in his place in parliament denounced dangerous combinations, and advised king Philippe to issue a proclamation against them, the regenerated but ungrateful people broke into his house, ill-treated him and his domestics, and burned his furniture in the court-yard. Such were the never-failing consequences of calling forth the spirit of democracy in the exaggerated and unthinking form which Ministers had succeeded in giving it. From democracy sprang all the mischief that disturbed the land. Its steps could be traced as surely as those of a malefactor, from the first insult to the homes and peace of the metropolis, when the lord mayor, who seemed to consider himself a minister, claimed a party triumph in an illumination, to the bloody catastrophe of Bristol. The rhetoricians on the other side of the House had often asked, what a stranger would think, if he were led through populous and wealthy districts of the metropolis, the depots of manufactures, commerce, or art, and then told that they had no share in the national representation. What would such a stranger say now, when the spirit, which was to cure this supposed injustice, had been allowed to revel unrestrained? He would suppose such a stranger entering the great western avenue of the capital: he would



say, in this favoured land are no fortified towns ; he would call to mind the sentiment of Lord Chat-ham, that " an Englishman's house is his castle ;" he would say, here the people look to the law, and not to barricades, for protection. But what house would first arrest the stranger's eye ? Perhaps it would be the dwelling of some person enriched by public rapine, or of a Minister whose policy had entailed ruin on the empire. No ; that barricaded house the stranger would be told is the Duke of Wellington's, Prince of Vittoria, Duke of Ciudad Rodrigo, and Prince of Waterloo. He would perceive another barricaded mansion. That house, he would learn, was inhabited by a prince of the blood royal. What ! he would exclaim, with a popular king, a monarch whose sceptre was studded not with gems or the riches of the mine, but with the hearts and affections of his subjects,—whose brows were not encircled with baubles from the Tower, but with the glorious civic wreath of the reform bill,—with such a sovereign, were the king's own family made the subject of attack ? Yes, and not only a member of that family closely connected with the line of succession, but his Majesty's own sister,—the daughter of George III., the sister of George IV., and the sister of William IV.,—an illustrious lady, confessedly amiable, and adorned with every virtue. Advancing two or three paces farther, he would see another house. He would presume it to be the residence of a Bishop, a purse-proud, overgrown, lazy drone, fattening on the labours of the poor. He would have no doubt but a starving populace, indignant that the possessor of the mansion should be wallowing in riches, had

revenged themselves for his superiority by breaking his windows. But he would find that this house was tenanted by a man as great in his way as the Duke of Wellington—by Mr. Baring, a gentleman who had obtained a great fortune with a great character, who had reached his high position by those noble arts which were the pledges of England's safety, industry, and honour. His public life had been spent in the honest advocacy of liberal principles, and his private life was free from stain or suspicion. Thus were a prince of the blood royal of England, the most consummate general since the days of Marlborough, and one of the greatest merchants that had ever enriched our shores, obliged to exhibit their dwellings barricaded under the auspicious administration of the reform bill. If such were the effects of that bill when in embryo, what would they be when it had arrived at its full stature, when it got its clubs, its unions, to increase the measure of its potency ? Its first effect would be against the Ministers who had nurtured its infancy, and who, he believed, were honest enough to be disappointed in their expectations. Sentiments had been expressed by them in that house, that they did not wish for disturbances—that there might perhaps be a little violence, but that there was no fear, if they let it alone, but that it would die out of itself. He would not charge them with the crime of raising the fire, but he would charge them with not having called for or used the engine to extinguish it. And why were they so culpably remiss ? Because they dared not act otherwise, lest they should break with the reformers, and, unsustained by the reformers, the administration must have gone

down. There was no word that they could say, there was no act that they could do, there was no act they could abstain from doing, but such as might accord with the supreme resolves of the political unions. Ministers felt the absolute necessity of doing that which they were unwilling to perform. The state of the realm was unparalleled. Britain never before exhibited an instance in which the Government was on the side of agitation. The true secret was, that the king's name had been abused; it had been employed in a mode directly the reverse of that which the constitution recognised in the duties of the monarch and the necessities of his office. He was the hereditary guardian of a settled constitution; it was his duty to protect life, and property, and freedom of opinion; and that he would gladly do, but his wishes were unavailing, when he delegated his authority to Ministers who were not his servants—who were not their own masters, but the servants of a faction which they dared not but obey. All these evils, however, melancholy as they were, were still capable of one tremendous aggravation; and that would be supplied whenever the House passed the present bill, which gave stability and permanence to the very power, and rewarded even the excesses of the very spirit, which had given birth to all these miseries.

Lord Althorpe, on the other hand, challenged the opposition to point out any instance in which Ministers had neglected their duty, or, from a love of place, had looked with apathy on the violations of the public peace, or on outrages against persons or property. Special commissions were intended, not to institute inquiries, but to try of-

fenders; and the commission for Bristol had been issued with all the speed consistent with the discharge of the duties which it was to perform, as soon as it was known that there were prisoners to be tried for grave offences. It was idle to attribute these disturbances in any degree to the reform bill; they arose rather from the want of it. Clamour had existed long ago, and had constantly increased, till it became irrepressible in consequence of the declaration of the late ministry. The bill itself retained all its original principles, unaffected in the slightest degree by the alterations in matters of detail, though he admitted that the country had gained infinitely by the delay. The rule on which they would proceed in the new Bill was much better than the rule adopted in the former, and would obviate many of the objections to which it had been liable. If he could bring himself to entertain the opinion of Sir E. Sudgen, that the bill would lead to the destruction of the landed interest, he should think himself guilty of a great dereliction of duty in recommending it to the House. But there was nothing in it to prevent that interest from still possessing its due weight in the representation, and the present bill certainly was as far from having that effect as the former had been. Eleven members had been added to boroughs in schedule B. This was a counterpoise to the members added to the large towns, and it removed one of the leading objections urged against the limiting of these boroughs to a single member—that the single member was sure to be the representative of the operatives to the exclusion of the landed interest. The great object of the bill was, to reduce the dis-



proportion between the property of the country and its representation, and to place the representation in a more equal relation with the present distribution of property. That reform was necessary was now generally allowed; and it was the part of a wise statesman not to look back, but to look at the situation in which he was placed; and any man who reflected what that situation now was, must be convinced that a considerable alteration in the representative system of this country was become necessary. Such being the case, Ministers had come forward with a proposition, with which large bodies of the people had declared themselves perfectly satisfied. They offered to Parliament a plan of reform, which had given entire satisfaction to the people. Under these circumstances, he put it to the House whether the wise course would not be, to adopt the principles of the bill, and not reject the measure without going into committee? A bill of a similar principle to the measure now before the House having been supported by large majorities during last session, he looked, he confessed, with great anxiety to see the present bill passed into a law; for the continued agitation of this great question, and the suspense in which the public mind was kept with respect to it, were evils most afflicting to the country.

Mr. Stuart Wortley, whose opinions were looked to with some interest, in consequence of his relationship to lord Wharncliffe, who had taken the lead in rejecting the former bill in the House of Lords, said, he had hoped that ministers, after knowing the sentiments entertained in another place, would have introduced a measure which

might, to a great extent, have met the wishes of those who, like himself, were disposed to mitigate their opposition, if it could be done without sacrificing the principles for which they contended. In this he had been disappointed. To the present bill he could not give his support, notwithstanding the improvements which had been introduced into it in comparison with the former. The giving up population as the single test of representation was a material improvement; and although the number of boroughs in schedule A was the same, he would rather adhere to that arbitrary number, than adopt the principle, that a fixed amount of population should have a certain number of representatives. For the same reason, he thought the change in schedule B a change for the better, not merely from the fact that many more of these boroughs were to retain their members than had been at first intended, but chiefly from the abandonment of the rule-of-three principle, that if you gave a population of 4,000 two members, you must give only one to a population of 2,000. Other alterations he likewise considered to be improvements, and in this light he regarded, above all, the intention which had been announced of incorporating large bodies on whom the franchise was to be bestowed; for, where they created new rights, or extended those already in existence, they created a desire to take a part in local politics; and it was expedient therefore to furnish to those, in whom this desire was created, objects of local ambition. This would be effected by the formation of corporations, while it would likewise beget a reverence for the ancient forms and institu-

tions of the country. But though the bill was thus much improved in several parts, and though he was one of those who were sincerely desirous, if the thing could be brought about, of seeing some arrangement between the two sides of the House, there was no such essential alteration in the principles of the measure as to justify him in voting for the second reading. If nothing had been gained by the rejection of the late measure beyond the improvements now introduced, that alone would be sufficient to justify the House of Lords in what they had done. At the same time, after the great excitement which existed in the public mind—after the strong expression of opinion in many parts of the country—after the passage of one bill through the Commons, and the vote to which they had come on its rejection by the Lords—after being convoked at this early period, so soon succeeding the close of a protracted and fatiguing session,—and after having the early consideration of the question recommended to them from the throne, as involving the best interests of the country,—he did think they had arrived at a point at which it became every man to see whether the evils of further suspense might not be avoided, and whether many of those, who had supported the former bill, might not be disposed to admit of further improvements, so as to remove the most weighty objections of the opponents of the late measure. Satisfied that in principle, and in some of the details, this bill was dangerous, yet if members on the other side would declare their willingness to admit of farther amendments, he would not be indisposed to give up the point of disfranchisement to a considerable

extent, as being the point on which he considered popular feeling to be most strongly excited, provided that, on the other hand, concessions were made in parts of the bill on which the public did not feel so strongly. Without such an assurance, it would be vain for him, however prepared to concede to the pressure of the times much that he could not approve, to go into committee.

Lord John Russell, after repeating the statement of ministers that it was not their bill which produced excitement, but excitement that demanded the bill—a statement all the effect of which lay in confounding two very different things, reform and the reform bill—observed that it signified little, whether they took away this or that number of nomination boroughs, for the time was gone by when any government could be carried on by means of their operation. It must be carried on, and ought to be carried on, under the control of the intelligent and respectable part of the community, and this control would be provided by the bill. There would be 166 members for the counties of England and Wales, the only difference in the constituency being, that copyholders and tenants-at-will to the amount of 50*l.* a-year would have the right of voting, and that twenty-seven counties would be divided, each division to return two members. It might be true that, in some places, the members would be exclusively returned by the agricultural or the manufacturing interests; but it was not the duty of parliament to oppose interest to interest, or to dwell on topics tending to excite distraction and disunion. They should bear in mind that landed gentlemen were returned

for several manufacturing towns. There were likewise in schedule B some thirty towns, which, they had been informed, were likely to return landed gentlemen. There would be 120 members returned by places with less than 10,000 inhabitants, where the average number of constituents was from 400 to 500; indeed, not more than twenty of them had a constituency of 500. On inquiry, he had ascertained that the 10*l.* voters would average about one-third of the householders of every town entitled to return members. It was, therefore, he conceived, rather hard to condemn the amount of qualification as too comprehensive. In Leeds, out of 130 mechanics who were householders, only two were 10*l.* householders. In Manchester, the proportion was thirty to 130. There was no reason, then, for raising the qualification to 15*l.*, since the constituency could not approximate to universal suffrage. He admitted, that in some of the districts of the metropolis there would be a constituency of 18,000 or 20,000. The 10*l.* qualification was not too low; but he also thought that it was low enough. If it had been farther reduced, they might have introduced a class of voters from among those who lent a willing ear to designing persons, who declaimed against evils that had never existed, and promised remedies which the reform could not give. What he desired to see was, an independent constituency; and if the bill passed into operation, there appeared to him no reason to doubt that men would be returned of sound views, and entitled to the confidence of the country.

In opposition to Lord John Russell, sir C. Wetherell main-  
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tained, that, while the present was the most unfit of all seasons to agitate such a question, in consequence of the violent excitement into which the country had been thrown, setting reason and argument at defiance, that excitement itself was mainly attributable to ministers, who had fostered it for the express purpose of carrying the bill. If ministers had made only partial and necessary changes, without overturning the constitution of every town, borough, and corporation in England, they might then have reasonably demanded of their opponents, why they blamed them for introducing a measure of this description. It might be proper to give members to wealthy and populous towns; but the bill went far beyond this. Why did not ministers, when they made parliamentary reform one of the main principles on which they accepted office, proceed according to the ordinary course of the constitution, instead of proceeding against it? Why did they not proceed with that gradual pace which had been kept in all former changes of the construction of the House of Commons? Why did they proceed at once to this unbounded step of reform, when one of their own number, now a member of the cabinet, had moved a resolution only some few years ago, which proved that he thought that the people would and ought to be contented with much less? Why had lord John Russell, who avowed his opinion to be, that a gradual course of reform was the right course—why had he, as well as his colleagues in the administration, abandoned that course for this unexpected measure of universal change in the constitution? It was said, that a great change was ne-

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cessary. That might be true ; and yet this plan of reform might not be necessary. He denied, and ever would deny *totis viribus*, that the spirit of the times required the reform which ministers called for. It might be true that it was right and fitting that great towns, like Manchester, Birmingham, and Leeds, should have conferred upon them the right of returning representatives to parliament ; but he would do credit to the former arguments of ministers themselves, and contend that it was quite another thing to assert that, because certain new towns which had arisen from insignificance into wealth and importance, ought to be represented in the House of Commons, therefore you ought to overturn the right to representation, which had belonged for centuries to all the boroughs in schedule A, and, after such wholesale and sweeping devastation, should proceed next to a partial destruction of the boroughs in schedule B, and should then conclude by overturning the existing right of franchise in all the other towns of the country now sending members to parliament. One sure consequence of what the bill did do, and of what it did not do, would be the keeping up of constant irritation, and the incessant creation of new demands ; for, by the principles on which it gave, it justified the exaction of that which it refused. The result of the bill, and one which was declared to be final and satisfactory was, that no man who did not occupy a 10*l.* house, should be allowed to vote. But the popular feeling would be more irritated by the establishment of this exclusive right of voting, than it was by the present system of franchise. This new right of suffrage was a

nomination which would be far more odious to the public feelings, than any nomination which the country knew at present. In ancient times there had been a rule that no man should pass from one caste to another, and a man whose father was of one profession could not migrate into any other. But this system of castes was not compatible with British feeling, and he was certain that a bill which established it, and thereby broke the people into classes and subdivisions hitherto unknown to the British constitution, and created a local aristocracy of shopkeepers, never would be a favourite with the lieges of this country. The bill, too, not content with creating a new right of suffrage, absolutely destroyed the old, for it got rid of the old scot and lot right of voting, by introducing, not a plebeian, but an aristocratical principle, by which two-thirds of the male population of England were disfranchised. Ministers boasted of having discovered a mathematical formula which would satisfy the inhabitants of every borough in the country. And what was it ? It was not equal employment, it was not equal character, it was not equal education, it was not equal earnings which entitled inhabitants to become electors ; but if one man lived in East-street where a house let only for 9*l.*, he had no vote ; but if he lived in West-street, where a house of no better quality let for 10*l.*, then he had a vote. It was in this that these moral geometers had found a balm for all the discontent and dissatisfaction of the country. A more senseless proposition, a more irrational plan, a more insulting enactment, was never sought to be imposed upon

an intelligent and hitherto free community. Yet the House was told it would satisfy the country? Whom would it satisfy? Would it satisfy the aristocracy, or the landed interest? Certainly not. Would it satisfy the radical reformers? Let the member for Preston answer the question. Would it satisfy the unions of Birmingham, or Bristol, or Manchester, which had already declared for ulterior and very different objects? To one class, indeed, it ought to give satisfaction—to those who saw in it the sure means of striking at every institution of the country. The church had already been marked out for destruction. The spirit which, under Charles I., designated the bishops as “malig-nants,” and the peers as “indivi-duals,” which made

“ Oyster women lock their fish up,  
And trudge away to cry “ no bishop.”

was already at work. To treat peers as individuals would have been mild; they had been treated as individuals whose persons and properties had forfeited the protection of the law. And who was it that had entered into unholy alliance with this spirit? The prime minister of the crown had given the bishops notice to “set their house in order,”—and in the course of a month the palace of one of them was in flames. He believed that, among the radicals of Charles I., nothing had ever been uttered worse than the words of the political prophet who gave forth this ominous warning. Talk not of excitement among the people, when such language had been used in such a place. Blame not those whose untutored minds were easily influenced, when we saw who those were by whom they

were excited. Ministers, forsooth, acted in a torrent by which they were borne along incapable of resistance. But who had opened the flood-gates? They had no right to complain of excitement raised by themselves to carry their own bill. They made the case which, according to them, necessitated the bill, and then meanly skulked under that necessity for their own motives. They hinted at the prospect of physical movements as making resistance vain, while it was they themselves who had brought it into action, that they might extort a legislative measure, not by reason but by intimidation. To this measure, and to these means, ministers had faithfully adhered. He admitted they had redeemed their pledge to introduce a bill equally effective with the last in all that was unconstitutional and ruinous. Jacobinism had been the principle of the late bill, and Jacobinism was the principle of the present bill. The late bill presented a principle of radical equality, a vice which had been faithfully transferred into the bill now before the House.

Mr. Stanley took up the charge brought against ministers of having produced or encouraged the existing excitement, and of having looked with apathy on the violent outrages to which it had led. If the opposition had any accusations to bring against them for failing to maintain the peace and tranquillity of the country, why not bring them manfully forward by a specific motion of condemnation? or if it was thought that there was no chance of obtaining justice in that House from a pledged majority, then let some noble opponent in the other branch of the legislature step forward as the accuser.



This was the open and distinct course which ought to be pursued, instead of indulging in secret insinuations and unworthy taunts which it was not possible to answer or to repel. When ministers were charged with being the authors of excitement, and were asked why they had not pursued the milder and more gradual course which Lord John Russell had recommended in 1819, his answer was, that this was not 1819, but 1831. If that noble Lord had been successful with his proposition in the former year, it was probable that, by slower means, they might have attained, a little later, the objects of the present bill. But were ministers to be taunted with being the authors of the excitement now prevailing throughout the country, because his noble friend had been struggling, for the last twelve years, to force the question of reform upon a reluctant government, the members of which, over and over again, asserted that the country cared nothing about reform; who, so far from being favourable to any degree of reform, refused a motion for leave to bring in a bill to give members to Manchester and Halifax—nay more, who, when the resolution was moved, about three years ago, that it was expedient that the representation of the people should be placed upon a more extensive basis, met that proposition with a direct negative? Was it fair, under such circumstances, and after such conduct, on the part of the late Government, to lay at the door of His Majesty's present ministers the excitement that existed throughout the country? Were they to be taunted with the state of the country? Were they to be told that the metropolis was not safe? Were

such charges to be preferred against them, when hardly one year had gone by since that fatal declaration came forth from the head of the king's government, that all the people's hopes should be met, not by any delusive gratification, but by one decided negative, and that they should have no reform? Did that declaration produce no excitement? Was not a state of things then produced so alarming, that his Majesty was told by the first minister of the crown, that he durst not trust his person in the city of London? And yet, forsooth, the present ministers were to be taunted with having disturbed the tranquillity of the metropolis and of the country? Whether the hon. gentlemen opposite would give any reform, or a little reform, or no reform, it was impossible to foretell from their declarations; but suppose they should succeed in throwing out this bill, and in overturning the government, he would ask them boldly what were they prepared to do? Were they prepared with a measure of reform themselves, or would they abide by the negative? Let the country understand their answer to that question, let the country know it, and let them have the benefit of it, whatever that might be. Would they give no reform, or were they ready to play over again the game which they had played before on another great question; and, after having continued to fight against this measure to the last, take the places of those whom they should succeed in defeating on that measure, and then adopt it themselves to the full extent? Even if they did so, and carried their measure to the full extent of the present one, neither they nor their measure

would obtain or deserve the confidence of the country. Ministers were told that, instead of proposing the present measure, they should have proceeded gradually and have given members to the large towns by disfranchising such boroughs as should be proved to be corrupt and delinquent. If they had proceeded in that way, it was possible that somewhere about the year 1890, Leeds, Birmingham, and Manchester would have representatives. Some years ago, a gradual reform of that description might have done, at least for the time; but it was not a reform suited to the present period; and if ministers had brought in a bill less extensive than the present one, they might have conciliated some of their opponents, but they would not have obtained for such a measure the support of the country.

In regard to the objections urged against the bill itself, Mr. Stanley said it was amusing to observe how they varied from and contradicted each other. Some complained that it was more democratic than the former one, while others complained that it was precisely the same, with some slight improvements. The fact was, that ministers had introduced some alterations in order to meet the objections which had been made to details in the former bill; but in no respect had they deviated from the great leading principle and important features of that bill. The extent of disfranchisement in schedule A was still the same; for though they had made a few alterations with regard to the boroughs in that schedule, and had omitted some which were included in it before, they had taken care to substitute other boroughs, precisely to the same extent. Then

as to the principle of enfranchisement, the enfranchisement of great towns was carried to a greater extent, and the 10% franchise remained inviolate. They were now told that they had taken no intelligible rule to guide them as to the disfranchisement of the boroughs in schedule A. It had been over and over again imputed to them in the discussion on the late bill, that in their choice of the boroughs to be disfranchised they had been influenced by private motives and individual interests. In the present instance they had been exposed to a different attack. They had been charged with not being prepared, at the meeting of parliament, to say what number of boroughs were to be disfranchised according to the calculations to be founded on the returns that were to be laid before the House. Now that matter stood thus—In the former bill population had been taken as the readiest and the best test for ascertaining the relative importance of boroughs. It having, however, been objected to that test, and with some degree of reason, that it was an insufficient one, and that it introduced a principle which it would be dangerous to follow up to its full extent, they abandoned that test, and they adopted a different rule, and a different census, which were not liable to the same objections, to guide them in the disfranchisement of the boroughs in schedule A. The result of the application of the new test of combined assessment to taxes and population was, that fifty-one out of the fifty-six boroughs formerly in schedule A were still there; and notwithstanding all that had been said last session as to the injustice done to Saltash, that borough, tried by the com-



bined tests of the population in 1831, the taxes which it paid, and the number of 10*l.* houses in it, was still found worthy of a place in schedule A. There was another objection which they had endeavoured to remedy in this bill, without departing from the principle of the measure. It had been said with regard to schedule B in the former bill, that it was not desirable to extend that principle of single representation, and objections had been also taken to the reduction of the number of members in that House. Now what did ministers do? So far as it was necessary to enfranchise the great towns and populous districts, they yielded to that objection, and they filled up the numbers of the House, so as to maintain a fair balance between the boroughs in schedule B, and the towns to be enfranchised; thus meeting the objection as to single representation, and doing away with it in twenty-two places. As to the 10*l.* franchise, this was not the time for discussing it, as it would be more conveniently and fitly discussed in the committee; but he would say this of it, that of all the parts of the bill which had been altered, it had been most improved. It extended in its present shape, as far as it could be extended consistently with the safety of the country, the right of representation to the lowest class of property; and, without going as far as the member for Westminster, who maintained that it was the natural right of all to be represented, he would say, that it was the duty of every representative government to extend the right of representation to as low a scale of property as would be consistent with the safety of the state. That the desirable

point had been hit seemed to be proved by the contradictory nature of the objections urged against this clause. It had been described by one as a 10*l.* aristocracy—by another, as an oligarchy of shopkeepers—by a third, it had been characterised as an unrestrained democracy—while a fourth said that it led at once to universal suffrage; and the crowning climax of the whole was the objection taken to it by Sir C. Wetherell, that it was a system of nomination. A system of nomination, when every man with a 10*l.* house had a vote! A system of nomination on the one hand, and universal suffrage on the other! Such were the characteristics, according to gentlemen opposite, of the 10*l.* franchise. Was it possible for absurdity to go farther? But no man, whatever might be his opinion of the danger arising from this bill, could deny that the danger was one which might be much aggravated by a delay of one, two, or three years, and that it might not be possible to go on much longer in that delay without having recourse to compulsion which no administration would venture to make use of.

Sir Robert Peel began by replying to the attack of Mr. Macauley, who, he said, in three different speeches on the reform bill, had charged him with making an unworthy return to the present ministers for the support which they had given him on the Catholic question, and had now again come down, as Sir Robert expressed it, "with all the sweltering venom collected in the interval." And the logic and argument of Mr. Macauley was this: the whigs supported the former ministers on the Catholic question, because they

agreed with them; therefore he ought now to support ministers on the reform bill, because he differed from them. Or was it meant to be put in this way, that because the whigs had supported him when they thought him to be doing what was for the good of the country, therefore he ought to support them in doing what he believed to be ruinous to the country! One of these two things, this reproach must mean; and the want of morality in the one was a perfectly fitting companion for the want of reason in the other.\* He had been accused, too, of obstinately resisting a popular demand for re-

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\* On this occasion, Sir R. Peel allowed himself to be drawn into a fuller explanation than he had hitherto given of the circumstances which had induced him to advocate, as a minister, the question of Catholic emancipation: "In the month of January 1828, the Duke of Wellington was called on to form an administration, in which I took a part. For several years I had been most active in opposition to the Catholic claims, and I had taken that part on the ground that I much doubted whether the removal of the disabilities complained of would restore tranquillity to Ireland. I, therefore, opposed the Catholic claims, avoiding all asperity, but still my opposition had continued decided and unqualified. In 1828, I was left in a minority. There were then circumstances which the time is not yet come to disclose, which convinced me there would be more danger in continuing to resist these claims than in yielding to them. My opinion on the subject was unchanged; for I had doubts whether the people of Ireland would be benefitted by the change, which would give strength to dissent, and power to the many. From time to time I found that the success of the Protestant party was balanced by the success of their opponents, and I thought it hopeless to maintain, with effect, a further resistance; but at the same time I thought there could be nothing more unfortunate than that I, who had been the most strenuous in opposition, should be the individual to undertake the settle-

form, an accusation which came with a peculiarly bad grace from

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ment of that question. It was not for the sake of any personal sacrifices I was called on to make—for I always expected that such sacrifices must be made—that I felt a repugnance to it; but that I felt I must necessarily lose the confidence of the party with whom I had so long acted; and I did feel it unfortunate, that I, who had evinced the most decided opposition, should be the individual to introduce the very measure I had so long opposed. It happened that I was absent from London in the year 1828, and I wrote my opinion on the policy of settling the Catholic question to my noble friend. I stated—"I have thus expressed my opinion without reserve on the first great question of all—on the policy of seriously considering this long-agitated question with a view to an adjustment. I have proved, I trust, that it is no false delicacy with respect to past opinions, nor any fear of charges of inconsistency, that will prevent me from taking that part which the present danger and the new position of affairs seem to require. I am ready to do so, if it is absolutely necessary. I think there is less of danger in the settlement of the question than in leaving it, as it has been, an open question, by the effects of which the government has been on many occasions paralysed. I must at the same time say, that I think it would not conduce to the satisfactory settlement of the question, that the charge of it should be left in my hands. Personal considerations are entirely out of the question. I show this by avowing, that, in case of necessity, I am ready to undertake the duty, but I think I could support the measure more safely, if my support of it were given out of the House. Any authority which it may be thought I possess among the Protestant party, would be increased by my retirement. I have too deeply been engaged in opposition to concessions to make it advantageous that I should be the individual to originate this measure." I mentioned this to show that circumstances had compelled me to undertake the settlement of that question. I did afterwards undertake to introduce a measure for the settlement of that question; but I remained till January, 1829, in the belief that I should retire from office and give support to that measure in my private

the majority of the members of the present government. Had they forgotten the events of 1827? Did they recollect that in that year the Marquis of Lansdowne, Lord Palmerston, the two Messrs. Grant, and other hon. gentlemen opposite, took office under Mr. Canning?—Mr. Canning, the uncompromising foe of all reform, and who emphatically declared in that House, and that too, be it remembered, after these noble and right hon. gentlemen

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capacity alone. But it was made evident to me that my retirement, together with the king's opinion on the Catholic question, would absolutely preclude the satisfactory settlement of it. I wrote a letter to my friend, expressing an earnest wish to avoid undertaking the painful office. That was on the 12th of January, 1829; but knowing the difficulties with which he was at that time surrounded, I said, "I speak without reserve. If my retirement should prove, in your opinion, after the communication you have made, an insurmountable obstacle to the course you intend to pursue, in that case you shall command any service I can render." The memorandum endorsed on that letter states, that the archbishop of Canterbury, and the bishops of London and Durham, had that day had an audience of the Duke of Wellington, to declare that they should give their decided opposition to the proposed plan. That circumstance made it impossible for me to retire. I had advised the king to concede the measure. I could not shrink from taking part in introducing the measure I had advised him to adopt; and no other consideration on earth should have induced me to stand in that place and to propose it. But if I believed, as circumstances had compelled me to believe, that a settlement of the question was necessary, and that my retirement was an insuperable obstacle to the settlement, I appeal to any man of honour whether I should have been justified in retiring. I had advised the king; and could I, when his Majesty said, "I have scruples—you ask me to make a sacrifice of them, yet you yourself refuse to make a similar personal sacrifice,"—could I, when thus appealed to as a subject, refuse to undertake the task?"

had joined his administration, that he would oppose reform to the last hour of his life. Perhaps it might be said that, though these were Mr. Canning's personal feelings with respect to reform, it might be left open, as on the Catholic emancipation, to every member of the government to speak and vote on the question as he pleased. It was not so; for Mr. Stapylton's recent "Life of Mr. Canning" placed this fact beyond doubt—namely, "that not only Mr. Canning would resist reform himself, but would not acquiesce in any member of his government bringing forward the question." He did not state these facts for the purpose of showing that those, who had acted thus, were now involved in gross inconsistency, but to inculcate this lesson—that, if, so recently as 1827, they could see no reason against their joining an administration pledged to the death against reform, he, who then, as now, was opposed to all such schemes of reform like the present, might see reason—other than mere party obstinacy—for persisting in the same course in the year 1831. If they shrunk from opening the question in 1827, why, in the name of fairness, might not he be impressed with the same feelings of apprehension a few years longer? But, said the noble paymaster of the Forces, "it was very well for Mr. Canning to oppose reform in every its minutest shape, for he would be only consistent in so doing; but how can you, who admit the principle of reform, in agreeing to transfer the franchise from a corrupt borough to a great unrepresented manufacturing town—how can you venture to oppose the present bill, which is only an extension of the same principle? You

have conceded the principle, when you agreed to transfer the franchise of Grampound to Manchester. How, then, can you stop there? To you," added the noble lord, "who admit the principle, but refuse to go its lengths, I say, in the words of Cromwell, "the Lord has delivered you into my hands." The answer was contained in the noble lord's own question, for if to make the slightest concession be a "delivering of us into his hands," what resource have we but to oppose the principle altogether? However, after what had passed in the course of this debate, it was fair to presume that they would hear no more of this bill being defended as a structure built on the old foundations of the constitution. The paymaster himself, in again attempting that line of argument, had been more unsuccessful than even in his former exhibitions. He had admitted, that if he had lived at the time of the revolution, he might have supported the continuance of the small boroughs. They could not then be contrary to the constitution; otherwise he would have been voting against the constitution, and that, too, in the days of its conquering vigour. In the very next breath he maintained that these boroughs were unconstitutional, because they had no freedom of election, and that their existence was a violation of the bill of rights, which declared that "elections shall be free." There must be a great want of argument, when recourse was had to such a reading. True that these words were in the bill of rights; but its preamble stated that they were introduced to meet a particular specific grievance, which had no connexion with small boroughs or the number of

electors. The grievance was the result of the "unhonoured parliament" of 1685, which had lent itself so unworthily to the purposes of James II. That monarch, then deeply engaged in his design of restoring the Catholic worship, had issued orders to the sheriffs to make out lists of electors and candidates who would vote for the repeal of the test act—the barrier against the admission of the Catholics into parliament and public office. Without entering into a minute history of James's proceedings, he would cite one anecdote in point, told them by Sir John Resby in his *Memoirs*. It appeared that the king requested the writer to stand for York. "If your Majesty so please it," replied Sir John, "I will, but it can only be on one condition." "Name it." "Simply that your Majesty will so order it that none of the corporation shall vote but those I may choose." The king gave the order, and Sir John was returned. And it was to meet this and similar gross violations of corporate rights, that it was enacted in the bill of rights, that "elections shall be free," evidently showing that there was not the remotest connexion whatever between that enactment and the opening, far less disfranchising, of small boroughs. On the contrary the provision had been made in consequence of encroachments on those very rights which the present bill forfeited in the mass.

As constitutional grounds would not do, recourse was had to the necessity of not remaining behind what was called "the spirit of the age." He was ready to admit, that, if there did not exist an elastic spirit in the constitution, so as to meet the temper of the

times, that would be an imperfection requiring alteration; and he would further admit, that if the boroughs were made of such iron stuff that they would not yield to the impression of improvement, their doom was from that moment sealed, and the attempt to put them down was justifiable. But would any one, after looking at the progress of the legislature since the year 1827, say that this House lagged behind the improvement of the times? Was it not rather before it, in what it did on the Catholic question and on free trade? In what instance, during the last five years, would any member point out that that House had not kept pace with the growing improvement of public opinion? Not one could be shown; and it was vain to attempt, by precipitate means, and rushing blindly in the dark, to effect a change, which was hourly going on, like the assimilative processes which were in constant progress in the physical world. Had ministers duly considered the effect of the proposed change in our constitution upon our immense colonial possessions? If it were said, that the population of India was of so low a grade of intellect as not to understand the nature of good government, that would only make the case worse; for if they perceived that a change was taking place in England, without being able to perceive the justice of that change, it would only lead them the more doggedly to require a change in their own condition. Was this a safe lesson to inculcate upon countless millions, separated from us by thousands of miles? To look nearer home, let them consider the effect which their freely and cavalierly

destroying the smaller boroughs must inevitably have upon the minds of the people. If there was any feeling, which, more than another, should be cherished in this country, it was that of regard—scrupulous regard—for the interests of property, and for the preservation of those political rights which were the birthright of freemen. Was that feeling cherished by destroying small but honourable boroughs, merely because they were small?—for no effort was made by ministers to distinguish small from nomination boroughs, though the distinction was as practicable as it was just. It might be very well to say that the nomination boroughs must be got rid of, but that showed no cause for destroying the small boroughs also. Besides, the real fact was, that this bill did not destroy those very boroughs at which it was said it aimed. Look at Midhurst—the mound Midhurst. They had been told over and over again that the representation of that place belonged to a hole in a wall; but, after all, that very hole in the wall was to retain its rights. It was true that the constituency was enlarged, but the place itself continued the same—and the principle remained the same—and the same change of constituency could have been effected in the boroughs which were condemned.

As to the 10*l.* franchise, he feared the result of it would be to throw the power of elections almost entirely into the hands of that class who necessarily must be the least competent to form sound opinions on intricate questions requiring calm and protracted investigation. From him, more than any man in that House, any reflection on the



working classes would come with ill grace. He was of them, and necessarily would not willingly disparage them. The House, however, might judge for themselves of the tone and sentiments of the working classes from the documents issued by them, and the publications most popular with them. The Walsall Political Union had issued a declaration, in which the members (workmen) insist upon the immediate abolition of taxes upon the necessities of life and knowledge—the throwing open the East India Company's charter—the abolition of the corn laws—triennial parliaments—vote by ballot—and the abolition of the traffic with the flesh and blood of our African fellow-creatures. He did not mean for a moment to question the right of the workmen of Walsall to urge their opinions on these difficult and most complicated questions, nor did he mean to say that all was not very honestly intended; but what he was afraid of was, that when we got a popular parliament, we should find it jumping to conclusions—conclusions that might be right, but which, from the great variety of interests they embraced, required the nicest caution and consideration in their management. In the same way with respect to property. He had no fear of its destruction by confiscation; but he was afraid that some popularity-seeking Chancellor of the Exchequer might be forced by a democratic assembly to propose the repeal of taxes, and to adopt steps, the ultimate tendency of which would be to shake the confidence of the country; and that confidence once shaken, there would be an end at once to the chief stimulus which induced men to amass property, and which in England had

hitherto been productive of that wealth, commerce, and power, which had given her so high a station among the nations of Europe. The effect of all such rash and precipitate changes in government was, to suspend commerce, to derange industry, to put a stop to credit, and injure, almost to death, all the manufacturing and labouring classes. Any change in the constitution of a country exposed to hazard its dearest interests; and he was sure, if such a change were made here, property would be unjustly attacked, and the destruction of this country would be sealed the instant its property was not secure. He was afraid that the 10% householders would not pay the same respect to those institutions on which property depended. He did not say that they would be guilty of confiscation, far less spoliation, but from not respecting institutions they would shake the public confidence, and lead to consequences as bad as confiscation. “This bill, therefore, I shall oppose to the last, believing, as I do, that the people are grossly deluded as to the practical benefits which they have been taught to expect from it; that it is the first step, not directly to revolution, but to a series of changes which will affect the property, and alter the mixed constitution, of the country; that it will be fatal to the authority of the House of Lords; and that it will force on a series of further concessions. I will oppose it to the last, convinced, that though my opposition will be unavailing, it will not be fruitless, because the opposition now made will oppose a bar to further concessions hereafter. If the whole of the House were now to join in giving way, it would have less power to resist future changes. On this ground I



take my stand, not opposed to any well-considered reform of any of our institutions which the well-being of the country demands, but opposed to this reform in our constitution, because it tends to root up the feelings of respect towards it which are founded in prejudice perhaps, as well as in higher sources of veneration for all our institutions. I believe that reform will do this, and I will wield all the power I possess to oppose the gradual progress of that spirit of democracy to which others think we ought gradually to yield; for if we make those concessions, it will only lead to establish the supremacy of that principle. We may, I know, make it supreme—we may be enabled to establish a republic, full, I have no doubt, of energy, —not wanting, I have no doubt, in talent, but in my conscience I believe fatal to our mixed form of government, and ultimately destructive of all those usages and practices which have long ensured to us a large share of peace and prosperity, and which have made and preserved this the proudest kingdom in the annals of the world.”

Mr. Bulwer, Mr. Slaney, Sir H. Willoughby, Lord William Lennox, and some other members, joined Ministers in defence of the Bill, although some of them expressed their hopes that particular parts would be modified in the committee. They all insisted on the absolute necessity of yielding, and of yielding precisely what was contained in the bill, because all the principles therein contained, and the extent to which they should be applied, had been submitted to the people, and had been adopted by them with a determination which rendered resistance useless.

Their adoption of the measure, too, was only the more determined, that it rested on just and reasonable grounds; for the Bill did no more than re-establish that system of true and efficient representation which the spirit of the constitution required, but which had almost disappeared under accumulated abuses. A constituency of householders was the old principle of the English constitution. In all towns and boroughs, with the exception of peculiarities arising from burgage tenure, the parties entitled to the elective franchise were the resident and substantial householders. The man who resided in the town—who used its trade and was entitled to its liberties—who was assessed to the wages of the member—that man possessed the elective franchise. Burden and privilege were reciprocal. The whole cloud of corporate rights had been superinduced on this constituency, and had, in too many instances, usurped its place. The bill, therefore, did nothing more than re-produce the old, true, substantial, English electors. It restored them too in circumstances which rendered the proceeding as expedient as it was just. At a distant date, the manufacturing population of the kingdom bore but a small proportion to the agricultural; but now, Mr. Slaney stated, the former had so much increased, that it stood to the latter as two to one. This increasing population, too, had continued, for the most part to be unrepresented, but could no longer be overlooked, and had expressed their determination not to be overlooked. It was natural that large bodies, when thus increased in numbers, should desire representation; and to this was added, that they had increased

in, at least, an equal proportion, in wealth and intelligence. It would be found, for example, that thirty-eight of the boroughs now in schedule A paid only 100*l.* each to the taxation of the country; while an equal number of towns, hitherto unrepresented, but which were to be enfranchised by the bill, paid each 26,000*l.* The former averaged only twelve electors, while each of the latter would furnish between 2,000 and 3,000 voters. It was from the existence of such a system, not from its destruction, that danger was to be apprehended. The danger lay in having a mode of government to which the greater part of its subjects had declared themselves to be hostile. Under the direct and honest representation which the bill would introduce, disaffection to the laws and institutions of the country would be almost a moral impossibility. It was not necessary to suppose that it would invigorate trade, or raise the wages of labour. It would not clothe the naked, feed the hungry, or pay the national debt; but it would, at least enforce, by the control of an efficient constituency, that economy which, though partially practised during the last fifteen years, had been so, not from principle or system, but simply from the penury of the public purse. Above all, it would produce that which was wanting to the correct working of the legislature, the confidence of the people. Confidence so reposed furnished of itself the answer to all the dangers which the opponents of the bill anticipated from its operation to the other institutions of the country. The crown would be strengthened. The people of England loved a monarchical government, and would love it the more when they found

that it fairly admitted and established the exercise of their own rights. The church, it was said, would be destroyed—and so it might, if an useful and efficient reform were synonymous with destruction. What was truly danger to the church arose from a very different source. The votes of the bishops in the House of Peers two months ago had inflicted a deeper wound on the ecclesiastical establishments of England, than twenty years would have effected, if that bill had passed, and if the country had been taught to see in the supporters of the church the defenders of the people. It was the same with the aristocracy. It was not this Bill, but the failure of this bill, which could touch their honours and their power. Their power lay in the love, esteem, and respect of the people; but of these, the only true foundations of their greatness, the anti-reformers seemed determined to strip them. To preserve the aristocracy, and strengthen their interest, you must make their interest and that of the people one. Why was it that the English nobles were, as a body, the most powerful in Europe? Because, in our past history, instead of opposing, they had led the way to, popular institutions—had blended themselves socially and legislatively with the people—had grown with the growth of that people and strengthened with its strength. Let them return to that the only wise course; and let their acceptance of this bill stand forth a great memorial that the Peers of England refused to persist in dividing themselves from that people with whom hitherto their proudest distinctions had been associated.

On the other hand, Lord Mahon, Sir R. H. Inglis, Mr. B. Wall, and

other members of the opposition, supported the views taken by their leaders; contending that the question was not,—change or no change,—but simply whether justice allowed, or expediency required the sweeping changes contained in this extravagant bill, which pretended to restore the constitution by theoretical and arbitrary arrangements which neither the spirit nor the practice of the constitution had ever known—to secure the crown and fortify the peerage by making both of them tenants at will under a newly-created democracy—to spread harmony over the land by separating its great interests by sharp distinctions, and placing them in hostile array against each other—and to provide for the continuance of political tranquillity by establishing principles which rendered unavoidable the unceasing iteration of political complaints and popular demands. Who had ever clamoured for this 10*l.* qualification, till Ministers volunteered it as a bribe to keep themselves in power—and when had any uniform qualification been known to the constitution? It was mischievous, not merely from its amount, but from its universal application; for, in a country containing such varieties of habits of life, and degrees, relative and positive, of wealth, to say that a qualification was uniform, was to declare that it was highly exceptionable. What might be a fair rate of qualification in a great manufacturing town, would be wholly inapplicable to an agricultural district, and *vice versa*; and no argument could be stronger against a rate being adopted in Greenwich, for instance, or some town in the southern counties, than that it was the fittest for Leeds or Manchester. Under the existing

system of representation, all classes were represented, and not all places. Under the new, places only would be represented, and the interests of the middle classes alone would be attended to in the national council. It would necessarily deprive the higher classes of their legitimate influence in the state; it would equally exclude the working and lower classes from all political power. It would leave only a representation whose members would be the representatives, not of the interests of the state, but of the exclusive interests of the 10*l.* householders; and wherever the political power of the state was monopolized by any one class, political and moral degradation was the inevitable result. A more immediate consequence would be, utter dissatisfaction with arrangements so strange, that, while they professed to be founded on the principle of including in one holy embrace, all who could be useful to the state, terminated in excluding the great mass of the people from all share in the elections. What explanation could these advocates of popular rights give, for instance, to the electors of Preston, of the fact that this popular bill, so far from adding to their political power, deprived them of any share which they possessed? What answer could they make to a radical member, who in the next session might submit a measure for extending the franchise to those now unrepresented? According to their own principles, they could not refuse the proposition, and yet to assent to it would be in the teeth of all their declarations, as well as a reversal of the 10*l.* qualification. Where was the line of distinction to be drawn? Could Ministers take their stand on the 10*l.* clause,

and say, "Hic murus aheneus esto?" They could not; for by their own principles they could not stop short of the fullest extension of popular suffrage contemplated by their radical allies. But it was not in this way alone that the bill would be fatal to that tranquillity, and to that permanence of political institutions which were essential to the prosperity of a country. The town population was to dominate in the lower house; and there would necessarily ensue either a constant collision between the new commons and the peers, or the latter must abdicate their independence and their powers. Even in the towns, it scattered germs of endless agitation and excitement. Looking at the schedules, it would be impossible, with any regard to consistency, to refuse the right of being represented to any town of more than 4,000 or 6,000, or 10,000 inhabitants, omitted in these schedules. If the House should be required, in the course of next session, to bestow the right of returning one or two members, according to the rate of population which formed the basis of these schedules, on some rising but yet unrepresented town, what member on the opposite side could possibly refuse his consent, without contradicting every principle of which he now boasted? The same thing would happen with those counties whose representation was not enlarged. The measure instead of being final, must and could be only a commencement. It was only the first application, and a most partial and imperfect application of principles which, since they were to be applied, must go on in unceasing motion. The radicals declared it was not to be final; the press echoed their declaration; the opin-

ion was shared, not merely by the ignorant many, but by the judicious few, and was openly announced by favoured adherents of those very ministers who said that here all was to end. Most members of the House had already seen an address to the inhabitants of Leeds signed "Thomas Babington Macauley," in which that gentleman stated that he by no means considered the measure as final, and looked upon it only as a step towards a more extended suffrage. Such would be the necessary strivings of the principles now let loose; such were the unavoidable consequences of tearing up by the root institutions under which a great empire had thriven for ages, and dealing with them as if they were framing a code for a new colony in a chrysalis state of existence. The popular triumph, in the carrying of this measure, might be followed by a calm, but it would be one of short duration, for it must inevitably be succeeded by the re-action that would arise from disappointment. The present Ministers would soon be superseded by able, vicious, and destructive radicals, who would trample on Whig and Tory alike; and then, when too late, would these now crowded benches feel bitter regret that they had not hearkened in time to the voice of reason, and brought in a moderate reform, which would have saved the constitution, and preserved the monarchy from destruction.

The House divided early on the morning of Sunday the 18th, and the motion for the second reading was carried by a majority of 324 to 162. The second reading of the former bill had been carried by 367 against 231. On the present occasion, therefore, the number of members present was smaller by

112, and the majority was proportionally greater than on the former division. The length of the preceding session, the shortness of the prorogation, the knowledge that all resistance to the second reading would be ineffectual, and that when the bill had passed that stage, the proceedings of parliament would be suspended, occasioned the absence of many members of both parties. The House, immediately after the division, adjourned for the Christmas holidays till the 17th of January.

During the recess, legal proceedings were instituted out for the punishment of the rioters at Bristol and Nottingham in the preceding October. A special commission commenced its sittings at Bristol on the 2nd of January, and did not close them till the 14th. Besides a number of prisoners who were brought to trial for theft and larceny committed during the riots, twenty-four persons were capitally indicted as having been concerned in burning or destroying the jail, the bridewell, the bishop's palace, or dwelling houses. Twenty-one were found guilty, but the lives of all of them were spared, with the exception of four whose guilt appeared to be the deepest. Of these four, one had been engaged in destroying the jail, another in destroying both the jail and the bridewell, and the other two in demolishing dwelling houses. At Nottingham, where another special commission sat, twelve of the mob, who had commemorated the rejection of the reform bill in the House of Lords by burning down a silk mill, were brought to trial, and six of them were convicted. Three persons were convicted of the attack upon, and the attempt to burn Colwick Hall, which had cost the

lady of the mansion her life. No information could be gained regarding the burning of Nottingham Castle, the most public and daring of all the exploits of the mob. Two persons were indicted as having been concerned in it; but the evidence which could be brought against them was so weak, that the court stopped the case so soon as it had been opened by the counsel for the prosecution. Of the nine criminals convicted, five were condemned to die, but the sentence was carried into execution against only three of them. The public organs of the reformers and radicals omitted no effort to save the lives of all who had been condemned by the special commissions. They held meetings, and passed resolutions; they got up petitions both to the king and to parliament. Mercy was craved upon the ground, that the crimes of these brutal ruffians arose merely from political excitement, from their love of the reform bill, and their anxiety to prove that no reaction of opinion regarding that measure had yet taken place in the public mind. At a public meeting convoked at Manchester, on the 22nd of January, by the "Political Union of the working classes," for the purpose of petitioning his Majesty to spare the lives of the criminals, one of the speakers declared, "that he trusted the men of Bristol would not remain satisfied till they had hung the rascal Sir C. Wetherell, and, if the king did not grant the prayer of the petition, the work-people must act for themselves." Another of these orators repeated the sentiment, saying "that if the king did not listen to the prayer of the petition, the people of the country must be determined to act and legislate for themselves." The



petition itself assured the king that these citizens viewed "with horror and alarm" the infliction of death or transportation on criminals who had only burned and plundered great part of a peaceable town; that these outrages were merely excesses committed in moments of excitement and desperation, to which they were driven by the conduct of sir C. Wetherell, the Duke of Newcastle, and the rejection of the reform bill; and that justice would not be done, if the individuals, who had thus been the cause of the riots, did not share a similar fate with the rioters.

Loud complaints had been heard that the long continuance and ruinous extent of the riots at Bristol had been mainly owing to the mismanagement of the military who had been called out, on that occasion, for the protection of the city. Government ordered a preliminary investigation of the conduct of Colonel Brereton, who had commanded at Bristol. It was carried on by a Court of Inquiry, for the purpose of ascertaining, as is done in ordinary cases, by a Grand Jury, whether there existed sufficient cause to institute a more particular investigation. The decision of that tribunal rendered it necessary to bring colonel Brereton to trial before a Court Martial. The trial began at Bristol, on the 9th of January. The charges against the accused were characterized by major general sir Charles D'Albiac, who had been president of the court of inquiry, and was now appointed to prosecute, as containing some "which bore upon the face of them every character of culpability unprecedented in the case of a British officer." The charges stated that, on the evening of the Saturday, after the

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outrages had begun, and the riot act had been repeatedly read, the colonel did not act with any vigour or effect in obeying the directions of the magistrates to disperse the mob, but conducted himself in a feeble and temporizing manner, calculated only to encourage the rioters: That on the Sunday, the second day, when he had brought the military for the protection of the mansion house, he sent back the 14th light dragoons to their quarters, in the very heat of the riot, under the pretext that their presence only irritated the populace, and shortly afterwards sent them away five miles from the city, alleging that the men and horses were already too much exhausted to be useful, which was not the fact, and positively refusing to comply with the directions of the magistrates to call them back, although the riot was hourly becoming more destructive and alarming: That, when required to protect the jail which the rioters were attacking, after having already destroyed the Bridewell, he gave positive orders to the cornet whom he put in command of the detachment sent for that purpose, on no account to use force, but only to go to the jail and come back—which the troops accordingly did, although, when they arrived at the jail, the mob had broken into it, and were in the very act of liberating the prisoners, and setting fire to the governor's house: That after the rioters had made their way into the court of the bishop's palace, and had forced the main door of the palace itself, the colonel, although he himself took post within the court, with a detachment of military, remained wholly inactive during the commission of various acts of outrage by the rioters,

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under his own eyes, "refusing, or omitting to comply with the application of certain of the Bishop's servants, as well as of certain constables and other persons there present, to afford them assistance, in order to check the outrages of the rioters, and to save the said palace, and the property therein contained, and on the contrary thereof, he the said lieutenant colonel gave most peremptory orders to the said detachment not to use any violence to the rioters, or to that effect, and passively permitted certain of the rioters returning out of the said palace, laden with its plunder, to escape, and at the same time released, or caused to be released, certain of the said rioters who had been apprehended in or about the said palace, in the act of committing outrages, or carrying off plunder, and whom the persons apprehending them had consigned or offered to consign to the custody of the said detachment:" That, on the Sunday evening, when the mansion house was in flames, although he was on the spot, at the head of a detachment of troops, he not only made no attempt to arrest the progress of the fire, or prevent farther outrages, but, after looking on for a few minutes, actually marched away the troops, and ordered them to return to their quarters, leaving Queen Square utterly unprotected, the consequence of which was that, during the night, two entire sides of it were burned down: That, although he received at midnight a letter from the mayor, requesting and authorizing him to take whatever steps, and issue whatever orders he, as military commander of the troops, might think necessary to check the destruction which was

going on, he paid no attention to it during four hours—went to bed in the mean time—and, when called out of it by a magistrate about four o'clock on Monday morning, manifested great reluctance to act, pretending that the troops would be of no use: That, on various occasions during all the three days, instead of resisting and putting down the rioters, he temporized with and yielded to them, "frequently shaking hands with them, addressing them familiarly, and even using to them language which reflected on the conduct of a portion of the troops under his command, and which was calculated to add to the irritation of the rioters, and at the same time to augment their confidence in their own strength and power." Colonel Brereton sunk under the weight of the evidence by which these charges were supported. The fourth day of the proceedings of the court martial closed with the examination of the officer whom he had dispatched to the jail at the head of a detachment, with orders, as the witness expressed it, "on no account to use any violence, but to go there and return. On my arrival at the jail I saw an immense mob collected together. I marched up the men to the jail door, and saw a great number of people inside knocking things to pieces. I marched my men back. Colonel Brereton asked me what I had done at the jail? I said I had done what he told me to do—nothing; that I had seen an immense mob at the jail destroying it, and had done nothing to check them. He told me he had heard I had shot four men there. I replied I had done nothing of the sort, and he said I had acted perfectly right." Before the court assembled on the

fifth day of its proceedings, Colonel Brereton had shot himself.\*

Another court martial was subsequently held on Captain Warrington, who had commanded a troop of the third dragoon guards. The charges against him were to this effect, that, when informed, on the Sunday night, that the mob was about to set fire to the custom house, he neither turned out with his troop for its protection, nor communicated to his commanding officer the information which he had received: that, on the Monday, although he received positive written instructions from the mayor to take the most effective and decisive measures in his power for quelling the riot, he neither acted on them, nor transmitted them to his superior officer, but kept his troop inactive in its quarters, till he was again applied to, an hour afterwards, by a magistrate in person, while the mob, during the interval, had fired and sacked several houses: That although it was his duty, as being the only commissioned officer with the troop, except a young cornet of sixteen months service, to be constantly at its quarters to direct its movements, and take the command of any detachment which might be called upon to act, he, on various occasions, either had been absent, or had sent out detachments to act under the command of that young officer, he himself remaining

at home. The court martial found him guilty of the first and second charges, and of the greater part of the third, and sentenced him to be cashiered. The king, however, while approving and confirming the sentence, allowed the captain, in pursuance of an unanimous recommendation of the court, to retire from the service by selling his troop.

The reformers of Bristol did not aim at the military. Their object was to strike down the civic authorities whom they had abandoned, or coldly supported in the day of need. Their organs and partizans insisted that the magistrates should be put on their trial, because their want of energy and discretion had been the prime causes, it was said, of all the outrages. Ministers consented. The attorney general was ordered to prosecute, the prosecution having no other value or end, in the eyes of its instigators, except the hope of rendering the corporation and the magistracy odious. Mr. Pinney, the mayor, was tried at the bar of the King's Bench for neglect of his duty as chief magistrate of the city. The jury not only found him not guilty, but declared their opinion that, in a situation of great difficulty, and when deserted by those from whom he was entitled to expect aid and encouragement, he had conducted himself with great firmness and propriety.

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\* v. Chronicle.

## CHAP. II.

*Complaints in the House of Commons of want of documents regarding the Reform Bill—Motion to postpone the Committee—Committee on the Bill—Motion to omit the number of Boroughs that should stand in schedules A and B—Debate on the clause for dividing counties—On the franchise of tenants at will—Amendments moved on the 10l. qualification Clause—Objections to the Registration Clauses—Debate on the principles on which Boroughs were selected for Disfranchisement—Discussions on the Cases of Appleby—Amersham—Midhurst—Dartmouth—Helstone—Debate on the Representation of the Metropolitan Districts—Motion to give a Member to Merthyr Tydvil instead of Gateshead, lost by forty-seven—A Member taken from Monmouthshire and given to Merthyr Tydvil—Discussion on the Cases of South Shields—Walsall—Whitby—Bill read a third time and passed.*

ON the 17th of January, when parliament assembled after the recess, ministers expressed their intention of going into committee on the Reform bill on the 20th. Mr. Croker and Mr. Goulburn resisted this proposition as bringing the House into a consideration of the details of the bill, before it had been put in possession of that information without which no proper judgment could be formed concerning them. On the night of the adjournment it had been stated, that all the necessary information would be timeously furnished; that part of the documents would be furnished on the 22nd, and the remainder on the 26th; but, up to the present hour, this information, so essential towards considering the very complicated scale by which disfranchisement was to be regulated, had not been laid before them. Of such papers again as had been produced, there was scarcely one which did not seem to have been studiously drawn up

in such a way as to perplex and mislead. Thus, the bill proposed that counties having a population of not less than 150,000 should send four members to parliament. All, therefore, that was required was, a specification of such counties as had that extent of population. But the account was given in such detail, and was so artfully constructed, that an individual could not arrive at this simple point, without going over 12,000,000 or 14,000,000 of figures. The counties were divided into districts and sections—the population was not given in totals; neither did the returns already produced contain the numbers of ten of the boroughs which were to be disfranchised. The whole list of the boroughs, and the order in which they stood, according to the scale of Lieutenant Drummond, were liable to be changed by the addition of those ten boroughs. It was impossible, moreover, to go into committee without having the necessary in-

formation as to the limits of the several boroughs, with reference to which the number of their houses and amount of their taxes had been calculated. The furnishing of information should be accelerated; and such a day should be fixed for the committee as would leave time for the proper examination of these documents.

Lord John Russell and Lord Althorpe would not consent to any delay of the committee. It had been found that, in the papers given in, there were some deficiencies and some errors; but they had hoped that a great number of correct copies of the borough population returns would have been ready in the week after parliament had adjourned. They had unfortunately been disappointed; and all those who were concerned in the production of these documents regretted that they could not be got ready so soon as had been expected. Some of the tables were then under consideration, and others had been laid before parliament previous to the recess. It was, however, considered useless to produce a number of papers, some of which, it appeared on examination, would have to be corrected by others. Therefore, when Lieutenant Drummond mentioned that it would be necessary to make corrections in some of the papers, he had at once been told, that it would be better to keep back the documents, in order that the corrections might be properly made. The papers were now ready, and would in the course of the week be placed in the hands of members. As to the ten boroughs omitted in the list on which that gentleman had founded his calculations, the reason assigned by him for so doing was that they were so insignificant and so exceedingly

various.—some having a few houses and paying a considerable portion of assessed taxes, while others of them had a great many houses and paid but a small portion of taxes—that their omission would make no material alteration in the calculations. Lieutenant Drummond had been so busily occupied that he was not able to produce the desired information regarding them; but it would be furnished forthwith. The county list, again, which had been referred to, had never been intended to give the total population of the counties. It had been drawn up with a view to the division of counties, that each division might contain, as nearly as possible, the same numbers; and it shewed, therefore, the population of districts. At all events, nothing had been stated, which required the House to delay the committee. It would not be necessary, on going into committee, to begin with the discussion of any of the schedules. Those parts of the bill, to which the papers particularly referred, might be postponed while other portions of the bill might be proceeded with. The enacting clauses, even those which regarded the boroughs, might be as well discussed without the information in question; and thus sufficient time would be afforded for the examination of the documents.

On the 20th, when the motion was made for the House going into committee, Mr. Croker repeated his objection to their proceeding in the state of imperfect information in which they were even now left. In the new lists, some of which had been laid before the House only that morning, there occurred what had been called some trifling alterations; but they could scarcely deserve that name, when they had

the effect of changing the places of forty-eight boroughs out of 100 in the original lists. These changes were said to be of no importance in regard to the first thirty or forty, because a greater number was to be disfranchised. There was no soundness in that position, because the House had not yet decided what number should be disfranchised; but even beginning with No. 40, there were no fewer than forty-four changes in the relative position of the remaining boroughs. Now, if the House was to have lists for the purpose of guiding its judgement, it was important that they should be correct. If the taxation and houses were to be taken of 100 boroughs, the difference would be great with respect to the position which some boroughs would hold; for instance, if Heytesbury, Wootton Bassett, Whitchurch, Downton, and Fowey, were to be taken as to taxes and houses, and if in the same list were introduced Chippenham, Devizes, and others, about which there was no question, the result would be to disorganize and derange the whole, as comparing one with the other. Again; it was said that fifty-six boroughs were to be disfranchised, and for this purpose a list of 100 boroughs was made out; and the effect of this was, that, by taking 100 instead of sixty, from which to select, some boroughs were disfranchised which would otherwise be saved, and some were saved which would otherwise be disfranchised. In the papers, too, which were last presented, there were some singular discrepancies with respect to the number of houses in some boroughs; and this discrepancy did not exist with respect to one list as compared with another, but between every subsequent list, and each and all of

those which had preceded it. Thus as to Calne, one or two lists did not mention it; in a subsequent list the houses were stated at 710; in another list they were stated at 996; and in a third list which had been furnished that morning, they were set down at 673. In the lists as to Chippenham there was a difference of 140. In the case of Malton, as well as Calne, there were some singular differences in the lists. In one list of Malton the houses were stated at 1,079, and of course it was far out of the line of disfranchisement. Some errors were subsequently detected, which were considered to be of no importance, as the number of houses had put it beyond the reach of being affected by those trifling errors. But, on referring to a subsequent paper, it would be found that there was a correction of a trifling error, which reduced the payment in taxes from 1,300*l.* to 130*l.* That error was set right, but the effect of the first was to give to Malton a very high place. The changes with respect to Malton did not stop here. In another paper, No. 5, the number of houses was fixed at 849. Then Malton was going down in the world. In a subsequent paper it got up again, for it was made 1,031; but in another list it was reduced from its original number of 1,079 to 793; and this within twenty-four hours. Under these circumstances, it was incumbent on the House to wait for better information, before they proceeded farther. The most important information to guide them would be the reports of the commissioners, and the maps which were to accompany the reports. In the absence of such information they would be legislating in the dark, without anything to guide them.

He was ready to go into the committee ; but before he did so, he required of ministers that they should give to the House and to the country that information, in the absence of which it was impossible to take the first step in considering the details of this bill.

Lord John Russell admitted, that, in order to investigate the particular claims of particular boroughs, it might be necessary to consider, as attentively and accurately as possible, the relative number of houses in, and the amount of taxes paid by, each of these boroughs ; and he would say now, as he had said before, that that part of the bill—namely, the schedules to which the information referred to specifically related—would be postponed to a later period, while the House proceeded with other provisions of the bill ; but he denied that any reason had been adduced for postponing the committee entirely. There were some points in the list of the 12th December, relative to which it was proper that further inquiry should be made. But was it necessary to wait for the result of that inquiry, and the corrections to which it might lead, before they went into committee ? No alteration was intended to be made with respect to any place mentioned in that list ; not one of them would be taken from schedule A or schedule B. There was, therefore, no ground for postponing the going into a committee, because the question remained exactly as it was with respect to the disfranchisement of fifty-six, and the partial disfranchisement of thirty boroughs. The discrepancies with regard to Calne and Malton, arose from Lieutenant Drummond and the commissioners having adopted

different boundaries. He would propose that they should go into committee on this bill ; and he would next move, when the House was in committee, that each of the fifty-six boroughs in schedule A should cease to return members to parliament. Ministers had endeavoured, by a reference to the census of 1831, by information supplied by returning officers, and by the accounts of the collectors of taxes, to procure the best possible information ; and he believed that any member would be disappointed, if he hoped to prove that any of the places in schedule A or in schedule B ought to be removed from their present situation.

Sir Robert Peel, Sir C. Wetherell, and Mr. Goulburn, supported the views of Mr. Croker. They had no objection to going into committee, and going into it for the purposes of disfranchisement ; but since they were to go into it to disfranchise fifty-six boroughs, they maintained it was impossible to do so, with any regard to either reason or justice, unless the grounds were laid before them on which these boroughs were to be deprived of their representation. It was admitted there was information which ministers themselves considered material ; and it was, therefore, improper to go into committee until the necessary documents were produced. It had been said, that certain parts of the bill might be proceeded with ; but what was now proposed ? The first thing to be done by the committee was to be, to vote that very clause on which it was admitted there was no sufficient information. If the House had any regard for its own privileges, or for the rights of the people, it would refuse to do so, till all the information that was



necessary had been regularly laid before it. In the first letter of the Secretary of State to Lieutenant Drummond, he said, "The government have determined to found the reform bill on a new basis." As that was admitted, was it not necessary that this new basis should be submitted to the House? Ought they not to know the peculiar circumstances of each borough, and the nature of its claims, when they were sitting in a judicial capacity? They might rate the privileges of those boroughs as of little worth. But they must see that it was not a matter of small moment to those places on which they were about to inflict disfranchisement; and it became a monstrous and oppressive evil, if, in effecting that object, they proceeded on a principle of injustice. To show the anomalous situation in which they were placed, it was only necessary to look to various passages in the documents, and the notes appended to them, which referring for explanation to the commissioners' reports, which were not yet in the hands of members. Lieutenant Drummond had himself acknowledged that, in making out his list, the most difficult part of his task was to obtain correct data and accurate information whereupon to found it. Now if the House went into committee, without the information which had been promised, and which of course would be soon forthcoming, it would place itself in a still worse predicament, for it would proceed to legislate without having the proper data on which to ground its decisions. If ministers forced them into a committee to night, they would be called upon to disfranchise a number of boroughs without having the local limits of those boroughs before them, where-

by they might be enabled to ascertain with any thing like precision their amount of taxes, houses, and population. They were called upon to go into committee with something promised to them that they should not have,—with something to look at that they were not now to look at—and with something that was to be on the table, but which they would not at present be permitted to see. When they were required to disfranchise fifty-six boroughs on the evidence of facts, was it not consistent with common justice and common sense that they should have those facts laid before them? They were told that, by going into committee, they would only be voting that fifty-six boroughs of some kind or another should be disfranchised, and that hereafter, when they came to the case of each individual borough they would have before them the information necessary to enable them to decide on that case. But the fact was, that the intended first step in committee would amount to a disfranchisement specifically and by name of fifty-six boroughs without having a single fact before them to warrant such a proceeding.

On the other hand, Lord Althorpe and the ministerial adherents asserted that the information called for was unnecessary in deciding on the first clause, which respected the number of boroughs to be disfranchised; though they admitted that, when they came to the schedule, information would be necessary, in order to see whether the boroughs designated ought to be retained there or not. If the question were as to the relative claims of the boroughs contained in the schedule, it would be necessary that they should have the

commissioners' report before them ; but it was of no importance at all in deciding on the number of boroughs that should be placed in schedule A. When the House voted the disfranchisement of fifty-six boroughs, it would merely vote that fifty-six of the most inconsiderable of the boroughs should be disfranchised ; and, when in committee, they would apply the rule to those boroughs individually, so as to ascertain that they came within that description. There was no reason why they should not even take up particular boroughs, postponing those in regard to which farther information might be required ; for there were many about which no doubt could be entertained. But at all events, no injustice was done in fixing the principle, leaving for future discussion its application to particular instances.

Mr. Croker having moved as an amendment that the committee should be delayed till the 24th, the House divided, when the original motion was carried by a majority of 53, the numbers for it being 152, and those for the amendment 99.

In the committee, the first clause being read, which enacted that fifty-six boroughs, as yet not specified, should be totally disfranchised, ministers were asked to state the reason or principle on which this particular number had been selected. Lord John Russell explained briefly that, as the line must, in any case, be arbitrary, it had been thought best to take the number which had received the sanction of the House in the former bill. Ministers would have liked quite as well fifty or fifty-five, or sixty or sixty-five ; but in fixing upon a number different from that

of the preceding bill, they would have been acting on their own responsibility. This number, too, contained, in point of fact, the greater number of the boroughs which had stood in the former schedule A. For his own part, he would have had no objection to go farther with disfranchisement ; but, under the circumstances, it was not deemed advisable to proceed further than they had gone before. These were the only reasons for choosing this number, and if the various plans of reform heretofore submitted to the House were examined, it would be found that some arbitrary number of 100 or 150 members had always been fixed upon, for which no satisfactory reason could be given.

The opposition contended, that the only ground, on which the House was called to sanction a measure admitted to be arbitrary, now appeared to be one which had no foundation in point of fact. For it was not true that the House, in the former session, had fixed on fifty-six, or any other number, as the number of boroughs to be disfranchised ; every member knew the contrary. The House, under the former bill, had agreed to a principle, viz. that all boroughs, having a population of less than 2,000, should be deprived of their members. That the number of boroughs to which this principle applied happened to be fifty-six, was a mere accident. They might have been many more, or many less. The principle was not adopted because it would disfranchise fifty-six boroughs ; that number of boroughs had been disfranchised, because it turned out to be the number to which the principle was applicable. All that the House had decided was, that, if the principle of population were adopt-

ed, then fifty-six was the number to be disfranchised ; the House had never decided that fifty-six was the number to be disfranchised, even if another principle should be adopted. But such was now the case. The population principle had been abandoned as the rule of disfranchisement. Ministers boasted that they had discovered a new and a better rule. It was mere absurdity then to say, that this better rule was to be thrown aside, in the only thing of any importance—the quantity of disfranchisement, and that the quantity should be determined by the old rule which had been discarded as not being a trust-worthy guide. The new principle, again, as it was called, was to do this. It was to furnish the House with a list of 100 of the most insignificant boroughs ranged according to their comparative values. That might be of use in pointing out what boroughs should be affected, when the number of boroughs to be affected had once been fixed. But it would defy human ingenuity to explain, how a knowledge of the comparative values of these boroughs was to furnish a principle by which that number could be determined. If it were said, that fifty-six was the number out of the 100 which could fairly be considered trifling or insignificant places—or that it was the number of them which were nomination boroughs,—or that this number must be disfranchised to make room for the representatives of larger towns intended to be enfranchised,—there would be a reason and a principle, which, be it right or wrong, would be capable of discussion. But as the question now stood, the House was asked to come to a result not following in any conceivable way

from the basis now adopted, and which could be got at only by means of a principle which confessedly was now abandoned ; for to say that fifty-six ought now to be the number, because it had been the number under the former bill, was merely to revive the rule of that bill, that boroughs, whose population was below 2000, should be deprived of their members. It was no answer to say, that this number, beginning with the bottom of the scale, would include all the boroughs which had been condemned last session. Five of them had been saved, but though they had been identically the same, this was only a repetition of the sophism ; for the question was not, what boroughs should be taken to make up this magic number, but, why was this number fixed upon at all ? Was it because that was the number of nomination boroughs ? If so, let that be stated as the principle, and enacted as the rule. The application of it would make strange alterations in the schedules. Suppose it were conceded that all the 100 were nomination boroughs. That might be a good reason for disfranchising all of them, but could be none for selecting fifty-six. Or was it that they were too inconsiderable to have members ? If so, let the point of insignificance, whether in houses or in taxation, that was to be inconsistent with representation, be fixed and declared. No such thing was attempted. There were to be lists of comparative values, which, instead of containing only 100, might have contained, without altering its nature, every borough and city in the kingdom up to London ; and from the bottom of this list was to be cut off the number fifty-six, without any other reason or principle

than *stat pro ratione voluntas*. The matter was not mended by their being the fifty-six lowest ; for the question as to the number always returned, why take that number rather than the twenty lowest, or the eighty lowest ? The mischief was increased by the House being kept, in the mean time, without information regarding these boroughs. Whatever was to be the true principle of disfranchisement, it manifestly would be wrong, and surely could not be intended by ministers, that any boroughs were to be disfranchised to which the principle, whatever it might be, did not fairly apply. Why then fix this number ? How could the House tell that there would be fifty-six boroughs which the hitherto undiscovered principle would touch ? How could they tell but that one-half of the fifty-six might be boroughs which no man in his senses would think of sacrificing ? It might be otherwise, no doubt, but how did the House know that ? A more preposterous proposition had never been made to parliament, than to ask it to condemn fifty-six boroughs without being put in possession of such local information as would justify them in doing so. Disfranchisement and enfranchisement ought to proceed together. At least, there was the very same reason—if any reason for either could be imagined—for pledging the House to the exact number of places to be enfranchised as of those which were to be disfranchised. Yet, in this very bill, the enfranchising clauses did not specify the number of places, but merely referred to schedules to be subsequently framed. Moreover, in fixing the number, and assuming that the number was to be taken from the bottom of the scale, the

House ratified indirectly, but unalterably, the mode which ministers had adopted of determining the comparative value of different boroughs, while the use which had been made of the assessed taxes, was extremely unsatisfactory, and might lead to manifest injustice. According to the plan of ministers, the average of the relative importance of a borough was founded on a comparison of the sums of the number of houses contained in it, with the amount of its assessed taxes. Now the geographical limits of a borough being once defined,—and that was a matter of little difficulty,—it was easy to ascertain the number of houses ; and thence it would be easy to ascertain its average rental, which average rental would afford much more satisfactory data for determining the actual importance of the place than the amount of assessed taxes. In fact, no more vague criterion existed than the amount of assessed taxes paid in a borough. Take, for example, the cases of Milborn Port and Midhurst ; the former in schedule A, and the latter in schedule B. Milborn contained 383 houses, and was to lose its two members ; while Midhurst—a by-word last session,—with but 254 houses, was to retain one. And why was this ? Because, according to Lieutenant Drummond's returns, Midhurst paid more assessed taxes than the other borough. But it would be easy to show that no more uncertain and vague standard of the relative importance of a borough could be devised, than its contribution to the assessed taxes, nor one, too, more liable to be abused for elective purposes. Let them suppose that the proprietor of Midhurst kept up a large establishment in its immediate vicinage, and that

he followed a course, by no means unusual, of paying for his servants, carriages, &c. in the country, instead of in town, where they were chiefly used, as he might do under the act for compounding for the assessed taxes,—would not, under such a state of things, the assessed taxes of Midhurst be thereby so swollen, that, if their amount were the criterion of representation, it would be more favoured under the bill, than a place of much more intrinsic importance? And this supposition was by no means improbable with respect to six of the places set down in schedule B: for it was by no means unusual for some hon. gentlemen to pay all their assessed taxes in town, and others all in the country. “I myself, for instance,” said Sir Robert Peel, “pay all my taxes in town; but I might pay them in the country. Any other person might do the same, and might thus save a borough from disfranchisement, shewing clearly that no more uncertain criterion could be taken of the real importance of a place than the amount of assessed taxes paid in it.” Gatton, with only twenty-three houses, paid 207*l.* of assessed taxes, being more than was paid by many of the boroughs in schedule B.

Mr. Croker, in accordance with these views, having moved as an amendment that the number fifty-six should be omitted, lord Althorpe, and lord John Russell repeated, that the number had been adopted because it had been sanctioned in the preceding session; but in what sense they meant it had been sanctioned, which could be a reason for transferring it to the present bill, they did not attempt to explain. The former bill, they said, with precisely the same number of disfranchised boroughs

in schedule A, had been rejected by the House of Lords. Now, it appeared of great importance to Ministers that as little risk as possible should be run of its being again rejected by the Lords, at the same time that they felt it to be of equal importance to satisfy the country that the great disfranchising principle of the former measure had been preserved entire in the present one. The number—necessarily somewhat arbitrary—fixed upon was fifty-six, that being the number of boroughs set down in schedule A of the bill of last session, Ministers not feeling themselves justified—as still less would the country—to have a less number in the present bill. They therefore adopted that number, hoping thereby to preserve the disfranchising principle of the former bill entire, while it would leave the consideration of the particular boroughs to be included under that number open to discussion. As to the fitness of founding a test on the assessed taxes, it must be remembered, that their amount was not the only basis on which this clause stood. Generally speaking, however, their amount was a pretty fair criterion of the relative importance of a place, and when taken in conjunction with the number of *bona fide* 10*l.* houses, as was done in the present bill, a double test was afforded, as valid and unobjectionable as the nature of the thing would admit of. The result of the division was 198 votes for the motion, and 123 for the amendment, leaving Ministers a majority of seventy-five.

A similar discussion took place regarding the next clause which enacted that thirty boroughs, to form schedule B, should in future send only one member to parlia-



ment. It was opposed both on the ground that no reason was given why this number had been selected, and on the ground that the principle of giving only one member was a vicious and inexpedient principle. The reason assigned, it was said, for retaining the number fifty-six in the first clause was, that it would have endangered the bill with the Lords to have increased the number of disfranchised boroughs, and to have diminished them would have endangered it with the country. Why then was the number in schedule B reduced from forty-one to thirty? If the one schedule could be diminished without endangering the bill, why not the other. If the country would be satisfied with thirty instead of forty-one boroughs as the complement of schedule B, was it not probable that it would be equally satisfied with fifty instead of fifty-six boroughs in schedule A? And if the number was to be thus taken at hap-hazard in the first instance with regard to schedules A and B, without any reference to circumstances, might not the country be dissatisfied that some pet number should not also be beforehand fixed upon for schedule C, which Ministers left to be determined by circumstances? But, setting aside the mere question of numbers, it would be as injurious, as it would be unconstitutional, to take away from the thirty boroughs set down in schedule B the right of returning more than one member each. The very principle, on which Ministers attempted to justify the total disfranchisement of schedule A, went to show that they were wholly unwarranted in depriving the boroughs in schedule B of a moiety of their representation. For what was that principle? Why, that the boroughs

in schedule A were mere nomination boroughs. Now, the boroughs in schedule B were either nomination boroughs or they were not; if they were, why, on the ministerial principle of disfranchisement, should they be permitted to return any representatives whatever? If they were not, why deprive them of their full complement of members? Would it not be much more desirable—even with a view to check the evils of nomination—to add to the number of those small boroughs which were not under the influence of individual patrons? Then if they were to retain the right of returning members at all, would it not be better to prevent the consequences of party collision and compromise, by allowing those places to return two representatives.

Ministers stated that the alteration of the number in this schedule had arisen from a wish to remove objections. One of these had been, the lessening the number of members in the House. It had been resolved to retain the present number, and there were thus twenty-three seats to be disposed of. If all of them had been given to the boroughs in schedule B, Ministers might have been accused of diminishing the efficiency of the Bill. Therefore, after allotting one to Monmouthshire, they had divided the remaining twenty-two equally between the new towns and the old boroughs in schedule B. This ought to be no objection in the quarter from which the objection now came. As the opponents of the bill would undoubtedly be better pleased to see schedule B annihilated, it would be an intelligible complaint on their part that the number was still so high as thirty, but it could be no



objection that it had been reduced to that number from forty-one. The reason why these thirty were still to be limited to one member was, that it was feared they might otherwise have an undue weight in the representation. There was nothing in the apprehension, that the power of returning one member only would give rise to much local jealousy, bickering, and ill-will. Who had ever heard that such had been the result of the exercise of a similar franchise in places, where it had been in existence hitherto? The event would prove exactly the reverse, for an election of two members, instead of one, generally produced an increase of party-heat amongst the partisans of the disappointed, inasmuch as the probability of success must have originally appeared the stronger, and a failure would therefore be attended with the greater bitterness of feeling. The amendment moved by Sir R. Peel, that each of the boroughs in schedule B should continue to return two members, was negatived by 210 votes to 112.

The clauses giving members to various towns which had been hitherto unrepresented, and those which united different places into one for election purposes, were agreed to without much remark, and without any division. The bill provided that the limits of all places having the right of electing members should be held to be such boundaries as shall "be settled and described by an act to be passed for that purpose in this present parliament," and which act was declared, when passed, to form part of the present act. It was pointed out, that it was a great anomaly to enact the future passing of an act which was not yet before the House. It might tie up the crown from

dissolving parliament, if that act were not passed; or, if parliament were dissolved, the country might be left without a constitution. Lord Althorpe, therefore, admitted an amendment, that the present act should not operate as a law till the boundary bill should have been passed. The provision, likewise, that where no particular returning officer was named in the schedule, the sheriff, within whose jurisdiction the place lay, should annually appoint such resident person as he thought fit to be returning officer, was strongly objected to. It was said it would be both inexpedient and illegal. The sheriffs were named by the crown, which would thus possess indirectly the nomination of the returning officers. The sheriff again would be enabled to bestow or to impose the post on whomsoever he chose, though the party might be unwilling to undertake it, or unfit to discharge its duties. It by no means followed that the party appointed would have such local knowledge as might be required for the proper execution of the office, and yet there was to be no controlling power over the sheriff to insure the appointment of proper officers. Where so many changes had been made, why had not government inquired, during the recess, who happened to be the superior civil officer at each of the places in question, as such a functionary would be a judicious person to select for the appointment. There could, moreover, be no objection to creating these newly represented towns corporations at once, only for the purpose of enabling them to send members to Parliament, and this would obviate the difficulty now raised. It might in the mean time be left open to

the Crown hereafter to make them corporations for all other purposes. It was answered, that there was really no reason to apprehend undue influence from the fact of the sheriffs being named by the Crown, for the office was seldom regarded as a favour by those on whom it was imposed. The erection of all electoral places into corporations, the head of which should be the returning officer, could only be accomplished by a separate bill. Mr. O'Connell and Serjeant Wilde urged, that at present the sheriff was bound to execute every writ directed to him either by himself or his deputy; that accordingly many of the returning officers throughout England had become so by the sheriff's habit of sending writs to them for that purpose; and that thus the clause would only enact that the sheriff should do what he was already bound to do at common law. Sir C. Wetherell and Sir James Scarlett, however, denied, that the sheriff had any power to appoint deputies in the boroughs within his bailiwick. If he did so, he would be acting in the teeth of the statute law of England; and the form of writs from the earliest period downwards shewed, that the sheriff was not at liberty to select the returning officers of boroughs, and make them so "by habit," but that the chief officer of each borough was appointed by the writ to be the returning officer. The objections to the clause, however, were not pressed to a division.

The provision that each of the three ridings of the county of York should return two members, passed without opposition. Colonel Sibthorpe attempted, as in the preceding session, to prevent the division of the county of Lincoln, but with no

better success, the clause being carried by 195 to 64.

The provision for dividing certain counties and giving each division two members, occasioned more discussion. An amendment was moved for the purpose of getting rid of it, and giving the four members to the undivided county, and the principal support of the amendment was derived, as formerly, from the reformers, who opposed this part of the ministerial scheme on the same grounds as before, viz. that it was inconsistent with the main principles of the bill, as it narrowed the sphere within which aristocratic influence was to act, thus adding to its energy, and that it was a wanton and unnecessary interference with the ancient institutions of the country. Some members, who had voted for the clause in the preceding session, now declared themselves against it in consequence of the extension of the county franchise to tenants at will, which had been subsequently introduced into the former bill, having been adopted in the new one. If the counties were now to be divided, then, in their opinion, it would end in this, that there would be no independent constituency, and the great families would carry elections as they pleased. On the other hand, several members who, in the preceding session, had voted against the clause, now supported it. They now conceived that the division would do good, by preventing contests and unsatisfactory compromises. If no division took place, it would be easier for any four great proprietors in a county to subject it to their own views, and convert counties into a species of close boroughs. In London where there were four members, there was always compromise; and

so it would be in counties, where one or two powerful individuals might combine, and bring in two others not known to the county. Others complained that, even admitting the principle of the clause, the House should not be called on to adopt it, until they had accurate information of the manner in which the counties were to be divided, for that was a matter which might be pregnant with most serious consequences. If government, for instance, should be pleased, to throw Birmingham, Warwick, and Coventry, into the same division, an enormous advantage would be given to the manufacturing interest. In theory there might be no great difference between an united and a divided representation, but in practice there might be a very great difference depending on local circumstances; and no decision could be of much use, till they saw the intended boundaries. Mr. Croker pointed out certain consequences which seemed to him to be unavoidable, and to be irreconcilable with the declared principles of the bill as to county representation. When the bill was first brought in, the principle was, that counties containing a population of more than 150,000 should have four members, and counties between that number and 100,000 three members, leaving to certain inferior counties two members. The intention in regard to the first class was changed by dividing them. Instead of twenty-five counties, each returning four members, there were in truth to be fifty each returning two. Now, when the three members were given to what were called the middling counties, it would so happen, that the smaller counties must invariably return the greater number of members in proportion. Cumberland,

for instance, was to return four members; and, at first sight, it did not appear of much importance whether it was divided or not; but it did become a serious matter with reference to other counties. Cumberland, the population of which was 168,000, would thus be divided into two counties, each containing 84,000 inhabitants, to be called, perhaps east and west Cumberland; and these, under the bill, were to be hereafter, to all intents and purposes, separate counties. Devon was likewise to be divided. Its population was 494,000 and each half would contain 247,000 inhabitants, being greatly more than double the population of Cumberland even when undivided. Kent and Northampton would stand in the same relation. Each of the two divisions of Kent would contain 239,000 inhabitants, while the whole population of Northamptonshire, which was likewise to be divided amounted to only 179,000. On what principle, then, were they to give two members to each division of Devon and Kent, and yet divide Cumberland, Northampton, and several other counties, in which the whole population did not equal that of one of these divisions? Even if the views of those who wished to keep counties together were incorrect, still there was no other anomaly in them than one sanctioned by prescription, and certainly most persons would wish to stand by ancient limits; but if ancient limits were to be disregarded, then every inhabitant of the large counties would have a right to complain, that you gave one member to only every 80,000 persons, while one was given to every 30,000 or 40,000 of smaller counties. This was not all. By the next clause in the bill, certain

counties were to have three members. Thus Hereford and Monmouth were to have three members to 100,000 inhabitants. In like manner, Berks, Bucks, and Hertfordshire were each to return three, though in no one of them was the population half that of the larger counties. How then could they answer the question, why 98,000 inhabitants in Monmouthshire were reckoned of more importance than 247,000 in Devonshire, or 400,000 in Scotland, or 800,000 in Ireland—for it was curious to observe, that Cork contained within a fraction as large a population as the whole principality of Wales; Cork county containing 700,000, and along with the city, 807,000, while Wales had only a few thousand more. Yet Cork was to have only two members, while Wales was to have twenty-eight. He did not say that too much had been done for Wales, but that, on the principles of Ministers themselves, a great deal too little had been done for Cork. In regard, likewise, to taxation, one half of Devonshire paid in assessed taxes 44,000*l.* while one half of Cumberland paid only 10,000*l.* It was altogether impossible to reconcile anomalies like these—anomalies, too, in a system ostensibly introduced, because the anomalies of the former system were too glaring to be longer endured. This could not last. The people, having been once taught such principles, would never be satisfied with such gross and inexplicable deviations from them.

Sir Robert Peel, though he intended to vote for the clause, wished to suggest that another arrangement might be made with respect to the right of voting for counties, which would simplify the operation of the bill, and improve

it very much, namely, that wherever a right of voting accrued from property of whatever nature, in any city or borough, the individual possessing such property should be allowed to vote for the city or borough, but not for the county. Having made that provision for cities or boroughs, he would continue the integrity of the counties, and propose that each county should return four members. He offered this suggestion *bonâ fide*, as an alteration that would greatly simplify the operation of the bill; and though he did not mean to move it as an amendment, he would ask whether it was not a proposition that was likely to satisfy all parties? As the bill now stood, very complicated questions would arise, whether the property, under certain circumstances, would give the right to vote for the borough or for the county. This might be avoided by allowing the individual possessing the right in the borough to vote for the borough only, and not for the county. It might be said that, by confining individuals to vote only for the borough in which their right existed, he was drawing too strict a line of demarcation between the manufacturing and agricultural interests; and that it was good to incorporate the voters of Birmingham, for instance, with those of Warwickshire. Now what he dreaded was, the too great influence which large manufacturing towns might acquire over counties. He thought it was a proposition palatable to all parties that the counties should not be divided; that large counties should possess the power of sending four members to parliament under this bill; but that great towns should be prevented from exercising undue influence in

the elections for counties. By leaving the right of voting for cities and towns to those who possessed the necessary qualification there, and excluding them from voting, on that right, for counties, they would prevent thousands of questions as to the right of voting for one or for the other, which must arise if that plan were not adopted. Mr. Croker added his belief, that if they did not separate the town districts from the counties, the bill would be found in practice totally inefficient, and, in one or two elections after its passing, they would be called on by the agricultural voters to protect them against the inroads of the town voters. It would then be too late to remedy this, if it were once granted. But if persons were restricted to vote only for their places of residence, they would have no reason to complain; and hereafter, if it was found advisable, an alteration might be made.

Ministers defended the clause on the ground, that it would greatly diminish the expences of county elections, and thus contribute to the purity of the representation, while it would in no way tend to throw the power of the elections into the hands either of the rural voters exclusively, or of large proprietors; and accordingly while one set of objectors complained that it would enable great families to control the representation, another stated that it would leave the agricultural voters at the mercy of the towns. The expences of an election consisted in that of agency, always very great; in the expence of conveying the voters to the place of election; and in the expence of finding refreshment for them, which, although illegal, must be tolerated to a certain extent. If

large counties remained entire, all these branches of expence were doubled; by the division they would be greatly reduced; elections would be thrown open to men of small fortunes, and the control and monopoly now possessed by large fortunes would be put an end to. Every man who knew any thing of elections was aware, that the more enlarged the area of the canvass was, the greater was the expence. Then as to the effect of the division on the independence and impartiality of the electors, there was no doubt that the influence both of towns, and of great landed proprietors respectively, would be increased by the division of counties; but that would not operate exclusively one way or the other, either as regarded the landed or the commercial interest. It was true that, after the change which had been made in the bill, this division of counties would have the effect of giving increased power and influence to the large landed proprietors; but this would be the operation of it, whether the counties were divided or not, and it would not increase their relative importance as compared with the towns. Suppose that a large landed proprietor in a county could command 100 votes, and that there were 100 voters in the adjoining town—here was a similar increase of power, communicated *pari passu* to both interests, and in that way the balance between them would be fairly preserved. It was said, that the division would put out of the question the gentlemen of small property, and that their influence would be altogether overwhelmed by that of the great leading families in the county. The operation of this clause would be quite the reverse; for it was certainly more



probable, that, in effecting the division of counties, a large property would be divided than a small one, and in that case the gentlemen of small property stood a greater chance of having their influence in the county increased. Lord Althorpe stated that in Northamptonshire, for instance, there was no mode of dividing that county, without dividing, and in so far diminishing the influence of, that property with which he was connected. In that respect, therefore, the clause would have an advantageous operation for the interests of the smaller proprietors. Neither was it at all necessary that the House should have before it the particular manner in which the counties were to be divided. The same objection had been taken last session, but the House disregarded it, and proceeded with the clause. The desired information was not now before the House; but when the commissioners had agreed upon their report, the whole matter would be finally settled and determined by an act of the legislature. Therefore the objection, as far as the committee was concerned, was done away with, and they were now in as fit a state as could be desired for the consideration of the question. To Sir Robert Peel's proposition there was the great objection which he himself had stated, viz. that it made too great a distinction between the inhabitants of towns, and those who were more immediately connected with counties. Persons living in great towns, such as Birmingham, &c. were proud, when members were elected for the county, of showing that they were intimately connected with it, and that they had an interest in the county representation. They thus

were led to consider the landed interest as in a certain degree blended with their own manufacturing and commercial views. The effect of this feeling was, that the county member, when he came to that House, was not looked upon as so exclusively the representative of the landed interest, as so entirely coming from one party in the country, as he would be, if persons, who resided in towns, were separated from him, and had no voice or influence in his election as county member. Another point was, that a man, who exercised a freehold right of voting for the county, might do so, whether he was resident or non-resident in the borough where the freehold which gave him that right lay. But the bill called for the residence of borough voters; and, therefore, if the proposition of the right hon. gentleman succeeded, the consequence would be that many voters possessing freeholds in boroughs, which, as the bill now stood, would enable them to vote for counties, would be disfranchised.

The House having divided on the amendment, only eighty-nine members supported it, while 215 voted for the original clause. An amendment intended to have a similar result with Sir Robert Peel's proposal, was subsequently moved by Mr. Praed on the 24th clause, to the effect that no county franchise should arise from the possession of property of any kind situated in a represented borough, and that forty shilling freeholders in boroughs returning members should be entitled to vote for the borough members. This amendment, too, was lost by 181 against 90. No division took place on the clause giving three members to certain of the middle-sized counties, although



Lord Milton himself, a staunch supporter of ministers and the bill, denounced it as monstrous, and unjustifiable on any principle of fairness or common equity. Why should Cambridgeshire have three representatives, while more populous divisions of adjacent counties were to have only two?—and who could understand the principle which gave to the West Riding of Yorkshire only two members, while to Buckinghamshire, with far inferior pretensions, it gave three?

While the former bill was in committee, the marquis of Chandos had succeeded in carrying as an amendment a provision which conferred the county franchise on tenants at will paying a rent of not less than 50%. Ministers had opposed this provision on the ground that nothing like independence could be expected from voters in the situation of the parties whom it was intended to enfranchise; the franchise would in fact be conferred on the landlords. They had been defeated, however, as all the opponents of the bill were joined by a large section of the reformers prepared to vote for any thing which looked like extending the right of voting. Ministers had made this provision part of the new bill, stating that, although it had not been originally introduced by them, yet they felt themselves bound to adopt it, as it had been sanctioned by the majority of the House. Lord Althorpe added, that the number of tenant at will farmers had been greatly exaggerated. An amendment which went to strike this provision out of the bill was moved by Sir Robert Heron, and supported by Lord Milton and Mr. Cutlar Ferguson. They took up the ground which had been formerly occupied

by ministers, maintaining that the provision was in contradiction to the whole spirit and professed object of the bill. The bill was intended to create a constituency of free and independent electors, and to get rid of nomination influence; but this provision would create a class of electors, who must in the nature of things be more or less dependent on their landlords, and so far incapacitated from exercising an untrammelled voice in the election of their representatives. The effect of the clause would be, to place the election of at least half the members of the counties, indeed of all counties exclusively agricultural, not in the hands of individuals, but of an oligarchy chiefly composed of the members of the bench of Quarter Sessions, and thus convert small counties, or divisions of counties, into a sort of nomination boroughs. The number of existing tenants at will, whatever it might be, was of far less importance than the necessary tendency of this part of the bill to increase them. The oligarchy of powerful landlords would make the tenant-at-will tenure the general tenure of their lands, for the purpose of confining the county representation to themselves. Their freehold demises and leases for terms of years, as they fell in, would be converted into tenures at will, so as to give the landlord a control over the tenantry. In doing this, landlords would only be acting in obedience to the ordinary principles of human action, which led men to promote what they conceived their own interest and aggrandizement. They had an instance of the mischievous workings of these principles in Ireland, where landlords, in order to secure an undue influence at elections,

created hordes of 40s. freeholders on their estates, who, till lately, were as shackled in the exercise of their franchise rights as the veriest lover of the nomination system could desire. What the Irish landlords did in Ireland with respect to the 40s. freeholders, the English landlords would do, under the bill, with respect to the tenure-at-will franchise; and the result would be, an absolute necessity of having recourse to the ballot, in order that the tenants might be protected in the exercise of their franchise. On the other hand it was contended that the tenant-at-will farmers were as independent as their brethren who held their lands by a leasehold or freehold tenure, and the more so as they usually held under the condition that they could not in general be ejected without receiving payment from the landlord of what they had laid out upon the land; and they were much more independent than many who resided in towns, from whom no rent was exacted, in order to secure their allegiance at elections. The dread of a change of tenures was extravagant. Was it to be credited that a gentleman possessing an estate, say, of 600*l.* a-year, let out to six solvent tenants, would divide that estate among twelve 50*l.* tenants-at-will, in order to have an influence upon six additional voters? Then as to the Irish 40s. freeholds, abuses of equal magnitude might and would exist under every form of tenure, so long as landlords violated the best feelings of humanity for their own sordid purposes. So far from the principle of the clause being opposed to that of the bill, not to adopt it would be acting in opposition, not only to the principle of the bill, but to the

dictates of common sense and consistency. The bill would create by the 10*l.* clause a numerous class of electors in towns, all of them tenants-at-will; and surely it could not be said that the 10*l.* voters would be more respectable and independent, and better entitled to a voice in the election of their representatives, than the 50*l.* tenant-at-will farmers. As was to be expected from ministers having ranked themselves among its friends, this extension of the franchise was more triumphant than in the preceding session. Only thirty-two members voted for the amendment, while 272 supported what was now part of an original clause.

The clause fixing the qualification of borough electors at 10*l.*, drew forth a variety of amendments, all of them unsuccessful. Mr. Hunt took the lead by moving that every person paying direct taxes should be entitled to vote. Only eleven members supported this near approach to universal suffrage. Mr. Hunt then put the same proposal into another shape by moving that all persons, who, under the bill, would not possess the elective franchise, should be exempted from paying rates and taxes, from being ballotted to the militia, and from impressment as seamen—and in this shape it was negatived without a division. Another but a more limited opportunity still remained to him. Preston in Lancashire, the borough which he represented, was distinguished by a lower qualification than any other place in England. By the bill, the constituency would undergo a very serious change; and Mr. Hunt asked, why Preston, against which no charge of corruption had ever been brought,

should be visited with what was almost disfranchisement? There were at present between 7,000 and 8,000 electors in the borough. The bill would reduce them to between 800 and 900. He, therefore, moved that Preston should be exempted from the operation of the clause. Lord Althorpe merely remarked that Preston had no reason to complain that it was subjected to the same general rule with all other boroughs, and that Mr. Hunt's present anxiety about his constituents was extremely inconsistent with his first amendment by which, altogether forgetting his constituents, he had proposed to make the franchise depend on the payment of taxes. Out of 211 members, only five supported the amendment.

On the mode in which the value should be ascertained, Mr. Evelyn Dennison thought that the franchise derived from the occupation of a house of not less than the yearly value of 10*l.* should be fixed on some more certain and permanent basis. It would give a character of permanency to the intended qualification, were it allowed that a house and premises, having been once admitted on the list as of the value of 10*l.*, should be permitted there to continue for a certain period without examination every year, and that the mere possession of such a house should entitle the occupier to vote. He would propose that the franchise should be fixed by the rates, instead of the rent. If they sent forth the clause in its present shape, so encumbered with machinery, and so much calculated to give rise to squabbles and litigation, it would do away with any good that might otherwise be expected from it. His proposition, while it freed the

clause from these objections, rested on exactly the same foundation. Ministers objected, that the effect of this would be, to attach the franchise to the houses and not to the persons, and to determine the number of houses in a borough, which should, for a certain period, confer the franchise. But it would not be fair or just towards persons who might build new houses, and have them occupied, that they should have to wait a certain number of years before acquiring the franchise. They would have been induced to take the poor rates as a measure of value, but had found the assessments to be so irregular, that it was impossible to have recourse to them with any effect, and, from their uncertainty, the adoption of them would disfranchise a great number of holders of property amounting *bona fide* to the required value. The cases of doubt which might arise under the bill, would be much less numerous, and not more difficult to determine. At Norwich there had been disputes of long standing relative to the poor rates, and an act had been brought in to enable persons holding houses or lands and tenements of the value of 10*l.* to vote for guardians of the poor. This bill was revived and amended in 1827, and the qualification was almost exactly that proposed by this bill. This had been found to act well, though the community of Norwich consisted of 11,000 occupiers, among whom there were 4,000 houses of 10*l.* value. The amendment was negatived without any division. Another amendment, however, moved by Mr. Vernon was pressed to a division. He proposed that the tenements or premises giving the franchise should have this condition attached to

them, viz. that they should be rated to the relief of the poor, or, in places where there had been no such rate, to the county, at 10/. His object, he said, was to prevent the abuses to which the power vested by the bill in overseers would invariably lead. As the clause stood, it was the overseers who would hear and decide who were to be registered. On the other hand, it was said, that this proposition would only present an additional obstacle to the working of the bill, which had been framed for the purpose of securing to the people a right to vote, and not for the levying of the poor rates. The amendment was rejected by a majority of sixty-eight, 184 voting for it, and 252 against it. A proposal of Mr. Davies Gilbert, that the value of all parts of the premises which might be sublet should be deducted in ascertaining the 10/., was negatived without a division; for it would exclude, it was said, some of the best class of voters. A similar fate attended an amendment proposed by Mr. Warburton, of an opposite tendency, viz. that the words requiring payment of rates should be struck out of the clause. This provision, he thought, would encourage bribery, and expose the electors in small towns to improper influence, it being easy for other persons to pay the rates for them. Under the clause continuing in perpetuity the franchise of existing freemen by birth or servitude, which, though rejected when offered as an amendment to the former bill had been adopted in the present one, Mr. Lennard endeavoured to have the reservation extended to the case of marriage with the daughter of a freeman in boroughs the custom of which gave the freedom as a consequence of such marriage; but

seventy-five members out of 100 opposed his amendment.

The numerous clauses which regulated the formation of registers of the voters, the duration of elections, and the mode of polling, were carried without giving rise to any discussion of much interest. When the first of them was read, which enacted that the overseers should annually make out a list of the persons in their parish entitled to vote, Sir E. Sugden, Mr. Baring, and various other members expressed their disapprobation of the whole system. They contended, that if any man had set to work to invent the most complicated right of voting, and to establish a court of judicature altogether unfitted for the satisfactory attainment of the object in view, he could not have accomplished it more completely than was done by these clauses. A more expensive machinery, or one more difficult to work could not have been devised. All was left to the parish overseers, and they were even to have the power of objecting to claims without assigning any reason. No overseer could be found capable of executing the duties now required of him. They were generally small farmers or petty shopkeepers, sometimes gentlemen's bailiffs; and in addition to the difficulties which such persons would experience in making out the lists of qualified voters, many of them would not have the requisite time, even if they had the requisite ability. Let the House only consider the consequences of giving overseers a power to object to votes, as well as the expences which would be incurred by parishes, and the inconvenience occasioned to voters. If the overseer objected to a vote, the claimant might be dragged fifty miles to

defend it before the revising barrister. The machinery of the bill, moreover, increased to an intolerable extent the patronage of the Lord Chancellor. It called for the employment of 300 barristers, at five guineas a-day, and their expences—a rate of remuneration not too high—but the chief justice of the King's Bench could not nominate one of them, save under the approval of the Lord Chancellor, who was a high political officer, and who, through the medium of the New Bankruptcy Court, exercised power over all the attorneys in the kingdom. To give a political officer such a range of patronage, in such a matter—to arm a member of the cabinet and overseers of parishes with so dangerous a power in determining who should be voters for members of parliament, was equally inexpedient, and inconsistent with all constitutional principle.

Ministers answered that the question whether there should, or should not, be a system of registration, had been decided by the House last session. In fact, without such a system it would be impossible to shorten the period of polling, or diminish the expence of elections. With regard to the mode of registration, it was impossible to propose one which would not be liable to some objection; but it undoubtedly was desirable that the registration should not take place, when parties were inflamed with the heat of an actual election. No better plan than that contained in the bill had been proposed, and it would be found to be extremely simple in its operation. On a division, 168 voted for the clause, and 65 against it. However, when the clause providing for the appointment of the revising barristers came under the notice of

the committee, lord Althorpe consented to leave out that part of it which rendered the appointments made by the judges subject to the approbation of the lord chancellor. He likewise admitted an amendment, suggested by Mr. Knight, that no member of parliament should be capable of being appointed a barrister under the bill.

Considerable opposition was manifested to the provision, that all the expences of the overseers should be paid out of the poor's rates. There was such a facility, it was said, of recurring to that fund, that if parliament once began to meddle with it, charges of an indefinite nature might in future add annually to the burthen of the poor rates, and which would not come with the other items of public expenditure before the House. The boroughs, moreover, were not, in all cases, to be co-extensive with the parishes, and thus, in some instances, the parish would be burthened with an expence which did not properly belong to it. Why should not all the necessary expences of carrying the act into execution be paid out of the public purse, like the remuneration of the revising barristers? Or, as the candidate was to be made liable for a portion of the expences of the poll, so, on the principle of the Scotch bill, the voters should also be made to pay a small sum each towards defraying those expences. That would be a better plan than to throw those expences on the poor-rates, for there was nothing that parliament should more carefully attend to than the limiting and controlling parochial expenditure. Mr. Hume, too, thought that the voters themselves ought to defray the small expences incidental to the registry of their votes. The clause was in



the mean time postponed, and it was ultimately settled that each person claiming to be registered as a voter should pay a shilling. An alteration was likewise adopted in the clause which provided that the expences of polling-booths should be borne by the candidates, limiting the expence to 40*l.* in counties, and 25*l.* in boroughs.

By the 20th of February, the committee had gone through the different clauses, and then proceeded to take up the schedules which it had been agreed, should be postponed till the other provisions of the bill should be arranged. Mr. Croker objected that great inconvenience and injustice would result, if the committee now proceeded to determine what boroughs should stand in schedules A and B, before they had ascertained whether the calculations, on which disfranchisement was made to depend, were correct and uniform. It appeared that in some boroughs game certificates and yeomanry exemptions were included, while in others they were omitted; but if the rule was not uniform, it must produce injustice. The fifty-six boroughs for schedule A and the thirty for schedule B, would come up to No. eighty-six in the list. Helstone was No. eighty-four. Neither the yeomanry exemptions, nor the game certificates for that borough had been included. If the former were added, Helstone would be No. eighty-eight; if the game certificates were likewise added, it would be No. eighty-nine; in either case it would be raised above the line of disfranchisement. It was thus impossible for the committee to decide what boroughs ought to be disfranchised, until they had returns of the assessed taxes of each borough, specifying whether game

certificates and yeomanry exemptions were or were not included; and the consideration of the schedules, therefore, ought to be postponed till that information had been obtained. Lord John Russell admitted that there was a difference with respect to many boroughs, arising from the source which had been referred to. One uniform rule ought certainly to be observed. Directions for that purpose had been given to the commissioners, and they had endeavoured to obtain returns comprehending the game duties; but, from some misunderstanding, there still remained a few cases where the game duties were omitted. Even the greatest care could not prevent some minute differences from occurring; and Lieutenant Drummond had stated, that, taking the omissions at their greatest amount, they would make no alteration in the schedule as it stood at present. There was no reason, therefore, for delaying the consideration of schedule A, especially as Helstone, which had been particularly referred to, did not appear in that schedule, but in B. A majority of thirty-eight accordingly resolved on proceeding; 112 having voted for the committee, and 74 against it.

In the committee, before any of the boroughs were disfranchised, a discussion took place regarding the principles and calculations on which the schedules had been framed. Mr. Frederick Pollock contended, that error had been committed in the principle of the calculations, the effects of which were to place in schedule A some boroughs which ought to have been in B, and to place in the latter schedule boroughs which should not have been in either. It appeared that Lieut. Drummond had been



requested by the government to make a scale containing, in addition to ninety-seven boroughs, the number in schedules A and B of the former bill, the ten or fifteen immediately above them in size and importance, and to arrange these boroughs in such a manner that the lowest might be the first, and the highest the last, on the list. Lieut. Drummond, in his answer, had explained the manner in which he made these calculations. "The principle on which the list is founded consists in allowing equal weight, in the estimation of the relative importance of a borough, to the number of houses which it contains, and the amount of assessed taxes which it pays." He then described the method by which he carried this principle into effect to be, by taking the average number of houses contained in the boroughs to be arranged, dividing by this average number the number of houses in each borough, and thus obtaining a series of fractions denoting the relative importance of the different boroughs with respect to houses. In a similar way he obtained a series of fractions showing their relative importance with regard to assessed taxes. He then reduced to a common denominator the fractions contained in the two lists which related to the same borough, and added them together in order to obtain a series of numbers denoting the relative importance of the different boroughs with respect to houses and assessed taxes; and then, by multiplying them by a thousand, to avoid fractional parts, he formed the scale of boroughs which had been submitted to parliament. This method of proceeding, Mr. Pollock maintained, was erroneous in principle. He con-

tended that the only mode of giving equal weight in the estimation of the relative importance of a borough to the number of houses which it contained, and the amount of assessed taxes which it paid, was not by adding, but by multiplying together the numbers in the two lists which related to the same boroughs. Suppose a person to be in possession of a large number of bales of merchandise of different size and value. He wishes to have the assistance of some able calculator to ascertain the relative value of each bale. He forms a list in two columns, in one of which he sets down the bulk, and in the other the price of the bales: he gives them to the calculator, and desires the calculator to tell him the relative value of each. What would the calculator in such a case do? He would multiply the quantity of each bale by the price, and he would thus bring out their relative value. Could any one doubt that this would be the method of any accountant? It was no answer to him to be told that there was some mode by which the accuracy of lieutenant Drummond's scale could be maintained. There might be such a mode, but he had not discovered it; nor did lieutenant Drummond himself profess to have found it. Neither would it be any answer to him to say, in allusion to his illustration, that the number of houses in a borough was nothing like the bulk, and that the amount of assessed taxes was nothing like the price of a bale of goods. If they told him that the scale was to be calculated by the number of houses contained in, and by the amount of assessed taxes paid by each borough, then he said that it was a matter of science about which there could be

no doubt that the multiplication of the fractions, and not the addition of them, could alone give them the correct result. There was, for instance, Petersfield with 278 houses, and paying 540*l.* assessed taxes, whilst Westbury had 536 houses, and paid 278*l.* assessed taxes. Now if these two scales were to be blended together, so as to give them equal weight in the relative importance of each borough, Petersfield with its 278 houses and its 540*l.* assessed taxes, ought to be in a higher place in the scale of importance than Westbury with its 278*l.* assessed taxes and 536 houses; whereas by the process of lieutenant Drummond, Westbury with the lower number occupies a place which is higher in the scale than Petersfield. That was a statement which no man acquainted with figures could deny. He would mention four cases to show how this system of lieutenant Drummond worked. In many cases no errors might be produced by it—as for instance, no magic of figures could rescue Old Sarum from its place in schedule A. Lieutenant Drummond, to illustrate his system, had taken five boroughs—he would only take four to illustrate his objections to it. Suppose there were four boroughs, A, B, C, and D,—suppose A had 200 houses paying 900*l.* taxes, which did not differ much from the situation of the borough of Riegate. Suppose B had 650 houses, paying 300*l.* taxes, which was nearly the situation of the borough of Malmesbury. Suppose that C, with 800 houses, paid 250*l.* taxes, and that D. with 1,000 houses, paid 150*l.* taxes. Now by lieutenant Drummond's calculation, these boroughs would come out B, C, D, A; whereas, by the proper mode of calculation, which he had already proposed,

they would come out D, A, B, C. The committee would find in the lists 56 Amersham, 57 Petersfield. It so happened that No. 60, which was Westbury, if properly worked out, would occupy the place of No. 56 Amersham. There were ten boroughs, which were ranged in the following order:—53 Appleby, 54 Lostwithiel, 55 Brackley, 56 Amersham, 57 Petersfield, 58 Ashburton, 59 Eye, 60 Westbury, 61 Wareham, 62 Midhurst. Now the order in which they would stand, according to his calculation, would be Lostwithiel, Brackley, Westbury, Petersfield, Appleby, Ashburton, Eye, Midhurst, and Wareham. It would have been better, if, instead of fixing absolutely on the number fifty-six for schedule A, ministers had looked at the lists, and seen where a chasm existed, such as to justify the separation that was made between schedule A and schedule B. The place where they should have stopped was between No. 55 and No. 56, and not between No. 56 and No. 57. Looking at the top of the list in page 3, you had first 903, then 936, then 946, then 957, then 951, which made the difference of a very small fraction between each borough; and so they went on, differing in very small numbers, up to No. 52. Then there was a rise from 1,294 to 1,337; from 1,337 to 1,350; from 1,350 to 1,385; and then from 1,385 you ascended to Amersham, which was 1,580. Now there was a greater difference between Brackley and Amersham (the numbers being 1,385 and 1,580) than between Brackley and Downton, which was 46 in the list—the numbers being 1,380 and 1,188. There was another reason also for stopping at the chasm between Brackley and Amersham. Next to

Amersham was Petersfield, differing from Amersham only by 24, whereas Amersham differed from Brackley by almost 200. Would it not create great jealousy and heart-burnings among the different boroughs, when it was found that one borough was placed in schedule A, and that another was excluded from it, on account of a difference in its importance which was so slight as to be almost imperceptible. The method of calculation which had been followed equally affected schedule B. He had calculated the relative importance of all the boroughs from No. 83 to 103, upon what he considered to be the correct principle, and he found the result to be this,—that whereas, in lieutenant Drummond's list, the order was Morpeth, Helstone, Northallerton, Wallingford, Totness, Bodmin, Chippenham, Buckingham, Thetford, and Coker-mouth; the order, according to his calculation, was Wallingford, Morpeth, Northallerton, Helstone, (which was therefore turned out of schedule B), Totness, Coker-mouth, Chippenham, Bodmin, Thetford and Buckingham. Of all these ten places, which he had named, Thetford was the only borough which still kept the same place in the scale. He had another observation to make on the method of calculation adopted by lieutenant Drummond, which he thought must strike the house as worthy of observation. If any place had houses without taxes, it ought not to find a place in Lieutenant Drummond's calculations; and yet, according to his system of addition, a place with a number of hovels might rank higher than another place with a moderate number of houses and a moderate amount of taxes. Now the situation,

above all, of the boroughs near 56 and 84, whether above or below these numbers, was so delicate, their proximity to the point of disfranchisement total or partial, was such, that it was very material that the calculations respecting their relative importance should not be made either on erroneous data or on erroneous principles.

In answer to this, Lord John Russell admitted that, if the case in question were analogous to that which had been put by Mr. Pollock, then Mr. Pollock's method of working out the result would be the correct one; but no such analogy existed. When you wished to ascertain the comparative value of different bales of goods, and stated, that each bale contained so much at certain fixed values, you state two things which can be compared together. You can state that sugar is worth so much per pound; and it is because there is that proportion between a quantity of sugar and its price per pound that you can come to a correct and convenient conclusion. But if you take the number of houses in a borough, and the amount of taxes paid by that borough, you take two things, between which there is no natural and immediate connexion. The government did not say to lieutenant Drummond, "Here are so many houses in one borough worth 1,000*l.*, and so many in another borough worth only 700*l.*, what is the relative importance of the two boroughs?" That was not the proposition which government made to that officer. The numbers submitted to him, having been taken from a list containing the number of houses in each borough, and the amount of assessed taxes which it paid, the only method by which he could compare them

fairly, was by adopting the plan he had followed. The result of Mr. Pollock's principle of multiplication would lead to strange results. Suppose one borough to contain fifty houses, and to pay 50*l.* of taxes, while another contained 100 houses, and paid 100*l.* of taxes. The real proportion of the former to the latter was one half. But by multiplication they would be represented by 2,500 and 10,000, that is, the former borough, instead of standing to the latter in the relation of one to two, which was the truth, would stand in that of one to four. All men, who had considered the subject had come to the same result, that the adding together the houses and the taxes was the only fair mode of solving the problem. Professor Airey of Cambridge had given his opinion distinctly in favour of the mathematical accuracy of lieutenant Drummond's principle. The same question had been put to Professor Wallace, of Edinburgh, who, in his reply, not only approved of the principle, but went much into the details, thereby showing he had studied the problem, and after consideration, had come to the same result, that the principle was a correct one. Another opinion which he had authority to mention, was that of Sir John Herschel, also approving of the principle. There was enough, therefore, to satisfy

the House, that the principle pursued by lieutenant Drummond had not been adopted in ignorance of a science, which, on the contrary, was one he had long studied. It was the opinion of government, that lists of the boroughs to be reduced should be prepared by competent authorities, and the result of their inquiries and calculations had been, that thirty boroughs should be placed in schedule B; and he assured the House, that at the time he had brought in the bill, he was not prepared to say what were the fifty-six boroughs to be put down in schedule A, or what were the thirty boroughs to constitute schedule B. Mr. Davies Gilbert likewise said, that although he had opposed, and still opposed the principle of the bill, he could not question the correctness of the basis assumed for the schedules, looking at it as an abstract point of mathematics.

Mr. Croker objected that, even setting aside the mere question of mathematics, the principles adopted involved a radical error as applying to the purposes of the bill. The true question seemed to have been mistaken. The object had not been to find the relation between Aldborough and Boroughbridge, for instance, but to ascertain which of these two boroughs was highest or lowest in the scale, or whether Bishop's-castle paid more than the town beneath it in the schedule; and there was this remarkable peculiarity in lieutenant Drummond's plan—that the elements of his calculation had no concern with the transaction or object he had in view. He measured the boroughs by an arbitrary standard derived from the number of houses and amount of taxes in boroughs which had no connexion

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\* Why, then, do any thing more than add the *actual* numbers which represented the numbers of the houses and the amount of taxes paid respectively? What is gained by the puerility of playing tricks by means of the processes of elementary arithmetic, in order to obtain a series of artificial numbers which artificial numbers do not give the same results as the real numbers would.

with the object. Each borough ought to stand upon its respective rights and recommendations; but lieutenant Drummond had not done any such thing. On the contrary, he had taken fourteen boroughs more than were required, and had changed their respective situations as to rank and extent upon the return which had varied from his first return. Where the data were the same, the results should be the same; but it had not been so in the present instance. Before Christmas last lists had been delivered to the House; in regard to which it was stated, that in them were named a few boroughs about which government were in some doubt, but which would be considered after lieutenant Drummond had furnished fresh lists. Lieutenant Drummond had now done so, and the consequence was, that out of 100 names in the original list, no less than forty-eight changes in position had been effected in the present list, although it had been stated in the first, that lieutenant Drummond had not thought the variations, with respect to the smaller boroughs, worthy of consideration. One instance would suffice to show the vagueness and uncertainty of this mode of calculation, and it was a remarkable one. By adding the first ten smaller boroughs, Great Grimsby and Calne had changed their positions on the lists. The difference had arisen from the calculation of the number of houses compared with the amount of assessed taxes, which bore a proportion of 456 to 542, and so it was that number of houses obtained for Grimsby its position, while the amount of taxes lost Calne the station it had held; and further, it was manifest that if it had pleased the minister to draw the line at seventy-

six instead of eighty-six, the addition of the smaller boroughs at the head of the list would have disfranchised Calne and preserved Great Grimsby. The value of houses, too, had been taken generally at 24*s.*, while the fact really appeared that the houses in Appleby were worth 45*s.*, while in Westbury they were only worth 10*s.* By altering the number of boroughs taken into the calculation, the relative position of most of the boroughs would have been changed; and thus ministers, by keeping in their own hands the number on which the calculations should be founded, had kept in their own hands the comparative value which different boroughs should hold in the intended scale.

The discussion was not followed by any division. The committee immediately proceeded to the particular boroughs, and the disfranchisement of the first fifty-two was agreed to without any farther argument. The next was Appleby, in regard to which it was contended, that ministers had repeated the injustice which they had committed last session, by leaving out what ought to have been included, and doing this for the purpose of securing its disfranchisement. They had then asserted, that the borough of Appleby did not extend at all into the parish of St. Michael Bondgate, but the House had now the return of the commissioners stating, that the borough was in that parish. Still, however, the same system of unfair exclusion was followed, and only rendered the more glaring by the proximity of Midhurst, which, although in the former session, it had been consigned to disfranchisement amid the cheers and laughter of the reforming majority, was now revived, and placed in schedule B, by the simple means of



adding to it an extensive rural parish. The information which had been originally obtained respecting Appleby was erroneous in many particulars. The returning officer had stated, that, when he sent his first report, he did not understand several of the questions which he was called upon to answer. According to the corrected information before the House, it appeared that there were 309 houses in the town, being ninety-nine more than were inserted in the original return. In all other cases the whole of the town had been included in the borough; but in the case of Appleby, an important part of the town called Bondgate was excluded. Bondgate was proved to be part of the borough by a parliamentary survey of the time of Henry VIII., and by a later perambulation, in 1741. The proper limits of all boroughs were those which were called the boundaries of the barony, and not settled by any arbitrary limitation. All ancient parts of a barony should, in every case, be included. The return itself uniformly stated, that in all cases of burgage tenure boundaries were difficult to ascertain, but in the present instance it was shown, by a reference to the perambulation made in the year 1741, that the perambulation of both the barony and the borough had been made by John Robinson, mayor, and the aldermen, corporation, and inhabitants of the said borough, and it was therefore manifest that Bondgate was identical with the barony. This Bondgate, which was formerly the residence of the feudal "villains," under the protection of the castle, and known by the name of the Old Applegate, being four times nearer the protecting fortress than any of the other gates, was

especially entitled to be included in estimating the claims of the borough to parliamentary representation. Had the Bondgate been included in the calculation concerning Appleby, that borough would not have been inserted in schedule A. It was part of the borough, too, for municipal purposes. The coroner of the borough was its coroner, and it was the magistrates of the borough who granted licences within it. Why then should it not be part of the borough for representative purposes? A few insulated houses had saved Tavistock; the Bondgate of Rippon had enfranchised Rippon. There was, in Southwark, a liberty called the Clink, into which the jurisdiction of the magistrates did not run; and yet this liberty, which did not belong to Southwark, was added to it by the bill, and gifted with the elective franchise for that borough. Why, then, should Bondgate of Appleby, forming part of the barony and liberties, and subject to the municipal jurisdiction, be utterly excluded, by following the straight lines which the commissioners had drawn, joining four stones supposed to mark the boundaries of the original borough, making Appleby the only example in the island, if not in Europe, of a burgh being exactly bounded by four straight lines. It was no satisfaction to be told, that the proposed boundary included all the proper burgage tenures. For the very question was, why, in the present instance, this new rule was applied, while in so many others it was utterly disregarded. Here was Bondgate, not a rural parish or district adjacent to the borough, but forming part of it to all substantial intents and purposes, touching it in continuous local



situation, included in its liberties, part of its barony, and subject to its jurisdiction. It was to be excluded, that the borough might perish. Here again was Midhurst, the standing theme of reformers, described by them as a hole in the wall. It had around it a rural district, with which it had no other connection than mere local adjacency. Yet this district was to be included, that Midhurst might be saved. What was the secret of this determined resolution to sacrifice Appleby, a county town, and preserve Midhurst, whose proprietor had always voted on the side of ministers? Let them not put the question aside. Let them state plainly and distinctly, first, why this boundary had been adopted; secondly, even assuming it to include the proper burgage tenements, why were all the other considerations, every one of them in favour of including the rest of the barony and liberties, disregarded; thirdly, why was the exclusion of what was connected in so many points with the borough, the rule as to Appleby, and the comprehension of that which had no such connection with it, the rule as to Midhurst? Or if they said, that the rotten Midhurst might be retained, because the other provisions of the bill would create a new constituency around its hole in the wall, let them then answer why they did not allow this consideration the same weight in regard to Appleby, and how they came to find out that a county town would not supply the materials of a proper constituency.

The answer of ministers consisted principally in admitting the fact, and stating that they thought it right to disfranchise Appleby. They said, that the *borough*, properly so called, had no known

boundary. The commissioners, therefore, had ascertained where the burgage tenements were situated, and had drawn a line round them, which was taken to be the boundary of the borough. Although the mayor exercised jurisdiction with respect to the appointment of a coroner, and the licensing of ale-houses, its inhabitants in Bondgate, had never been voters for the borough. It appeared there had been a perambulation in 1741, headed, "Borough of Appleby," and entitled "Perambulation of the barony and borough of Appleby," and that within this perambulation the magistrates of the borough of Appleby claimed certain rights, as to license ale-houses, and to levy tolls. There was another record of a more ancient perambulation, said to be the perambulation of the barony of Appleby, without saying any thing of the borough or the corporation. It appeared from the return, and the map accompanying it, that the boundary stones were properly laid down. It was also admitted, that all the burgage houses were within those boundaries, and so it appeared from the information furnished by the commissioners. The corporation of Appleby, it was true, had claimed a right of jurisdiction as to arrest within the limits of the perambulation; and also a right to certain tolls within their borough, such as tolls on goods sold and delivered therein, as also for goods passing through. But there were instances of immunity from toll within certain districts. There was a mill situate within Bondgate, and on flour ground in that mill no toll was payable. Another instance was also afforded in the case of the fair held on Gallows hill, within the parish of Bondgate, but outside of the borough stone, and be-

yond the right of the corporation to claim toll on goods sold at that fair. Thus a distinct difference existed, and the precincts were properly defined by the boundary stones, within which the corporate jurisdiction was in every way restricted. There were, undoubtedly, several houses situate in Bondgate, but a great interval existed between them and the town of Appleby, and the commissioners had stated that interval to be a high hill, and, therefore, that there was no appearance of Bondgate being part of the town. The case of Appleby had been compared with that of Midhurst, but the House was aware, that the interest of the proprietor in that borough, whatever it might be, was done away with by the provisions of this bill, and therefore the government could not be charged with acting partially with respect to these two boroughs. The present question was one simply of boundary, and it was asserted, that in Appleby there were two—namely, the liberty boundary, and the borough boundary; and on the whole, the latter was the one to be considered in the present question. The committee having divided, 256 voted for the motion, that Appleby should remain in schedule A, and 143 against it.

The last of the fifty-six boroughs to be disfranchised was Amersham. Mr. Croker moved, that Midhurst should take its place. There was no repetition of the argument; for, in truth, no grave or substantial reason was offered why the one should be disfranchised, and the other not. The fact was clear enough, that Midhurst was saved by taking in an adjacent district, but the question why that was done remained untouched. The adher-

ents of ministers were accordingly very various in their sentiments. Mr. Jones thought it would be better to disfranchise both. Alderman Waithman justified the disfranchisement of Amersham, on the ground, that it was confessedly a rotten borough, where there had been no election within the memory of man; and he was immediately reminded, that the same things were doubly true of Midhurst. It was decided that Amersham should be No. 56, in schedule A, instead of Midhurst, by 254 votes to 153.

Mr. Sheil, who wished to extend disfranchisement, in order that Ireland might receive an increase of members from the greater number which would thus be placed at the disposal of the House, moved that Petersfield should be taken out of schedule B, and transferred to schedule A; if successful in this, he intended to follow it up by a similar motion regarding Eye, Wareham, Midhurst, and Woodstock. He thought it impossible his motion could be rejected, considering what had just been done with Amersham. Petersfield, which was No. 57 in the list, had 278 houses, and Amersham, which was No. 56, had 360; Amersham, had a hundred and one 10*l.* houses, and Petersfield eighty-nine. If they compared Petersfield with Amersham as to population, wealth, rental, number of 10*l.* houses, they would find that in all these particulars Amersham had far higher claims to return a member than Petersfield, though the latter was placed in schedule B, while the former had just been knocked down in lot A. Petersfield contained but eighty-nine 10*l.* houses, Amersham 101. Petersfield contained but 1,443 inhabitants, while Amersham had 2,015. And the rental of Amersham—that

is, the value of the houses in that place—was to the rental value of Petersfield as 7,000*l.* to 2,500*l.* On what ground, therefore, could the retention of Petersfield in schedule B be justified, while Amersham was totally disfranchised?

Lord Althorpe admitted, that he could not oppose the motion on principle, though he must resist it on the ground of expediency. He could not seriously argue the question, whether a place comparatively so insignificant as Petersfield should retain the right of returning a member; but prudence required that the success of the bill in the House of Peers should not be hazarded by sending up to their lordships a bill disfranchising a greater number of boroughs than had been contained in that which they had rejected. Mr. Sheil did not persist in his motion.

On the 28th February, the committee proceeded to the consideration of the thirty boroughs which were to form schedule B, and Midhurst again became the subject of discussion. Lord John Russell stated that, with respect to this borough, he had directed the commissioner to revise his return, in consequence of its having been asserted that too extensive a boundary had been assigned it; and he had requested the commissioner to state whether, by taking the narrowest boundary possible, such a difference would be made in the number of houses, and the amount of assessed taxes, as would place the borough in schedule A. The answer given by the commissioner, after stating various details, was, that, even supposing a line was drawn round the town, the number of houses thereby excluded would not amount to ten. No person, who would take the trouble to exa-

mine facts, could deny that Midhurst, looking to the number of its 10*l.* houses, and its amount of assessed taxes, was properly placed in schedule B. Mr. Smith, son of the proprietor of the borough, admitted that it stood, at present, in the same situation with Gatton and Old Sarum; but there was this difference, that it was not practicable, by any extension of boundary, to create, in these two places, a respectable constituency. In Midhurst, on the contrary, they had only to throw open the ancient limits of the borough, and there would be created at once a constituency as respectable, and as worthy to enjoy the franchise as the inhabitants of any town in the kingdom. The opposition stated that ministers eluded, instead of meeting the complaints founded on the course adopted in regard to this borough. Their complaint had not been, that Midhurst had received absolutely too large a boundary, but that injustice was done by refusing to treat Appleby and other boroughs in the same way—that although there was better evidence of the extended boundary of Appleby, including Bondgate, than existed in regard to Midhurst, the former was curtailed, and the latter extended. As to the argument arising from the possibility of creating a constituency in Midhurst, that was a consideration which ought either to erase schedule A from the bill, or showed still more glaringly injustice and partiality; for why should the benefit of this capability be given to Midhurst alone, while it was refused to other boroughs in which it equally existed? It was true that no respectable constituency could be created in Gatton and Old Sarum; but, with the ex-

ception of these, and Beeralston, there was scarcely a borough in schedule A, which, if its gates were opened like those of Midhurst, would not present as respectable and as large a constituency. According to the returns on the table, the amount of the population of the future borough of Midhurst was 1,478. The population of Okehampton amounted to 1,500 and upwards; of Aldburgh, to 1,530; of Fowey, a large commercial town, with a considerable harbour, to 1,580; of Saltash, to 1,637; of Downton, to 1,657; and of Minehead, to 1,682. Amersham, was disfranchised, though it contained 1,870 inhabitants; Brackley, disfranchised likewise, contained 2,000 inhabitants, being 600 more than preserved Midhurst; Newton, in Lancashire, contained 3,200 inhabitants, being 800 more than in Midhurst. Under these circumstances, it could not be maintained, that Midhurst ought to be preserved, not on account of its wealth, but because it possessed the groundwork for an extended constituency. Ministers had contended for four elements of representation, namely, population, the number of houses, the number of 10*l.* houses, and the amount of the assessed taxes. Comparing Midhurst with Newton, in Lancashire, as to these four elements, the former was represented by the sum of 2,509, and the latter by 2,797; yet the latter was totally disfranchised, while the former was to retain one of its members.

When the question was put, that Dartmouth should stand in schedule B, Mr. A. Baring observed that this case excellently illustrated the unfairness of the principles on which the bill proceeded. Dartmouth was a sea-port engaged in

the fisheries, the seat of several important interests, and, in fact, was just such a place as no friend of the country would ever dream of disfranchising. Sir H. Willoughby, himself a supporter of the bill, described it as a violation of constitutional principle, as well as a misapplication of the principles of the bill. He did not quarrel with government for laying down a certain rule; but Dartmouth did not fall within the rule, and even if it did, this was not a case in which they could be justified in applying it. Dartmouth was a sea-port, situated in the centre of a considerable district, and enjoying maritime jurisdiction. There was a sworn return of the houses, distinct tenements, which made them amount to 767. By Lieutenant Drummond's return, the number of houses was stated to be 632, and the borough had been accordingly placed in schedule B. But if the calculation had been made on the actual number of houses, which was 767, the borough would have escaped altogether from disfranchisement. In the assessed taxes, too, there had been an error committed, the correction of which would of itself take the borough out of the schedule. By the fraud of the collector, a smaller sum had been returned than was actually levied. In 1830, the commissioners of taxes discovered a great deficiency for Dartmouth, and on inquiring into the state of the matter, it appeared that a fraud had been committed to the extent of 200*l.* and upwards. The documents proved that the fraudulent collector had made the assessment; he had got the full sum from the inhabitants; but, instead of returning that sum to the tax-office, had made an erroneous

return. This was for the year 1829-30; and the assessment on which the committee were proceeding—namely, that for 1830-31—was equally defective. There was a letter from the surveyor of taxes, which stated that the assessment for 1831 was even more defective than that of the collector. There could not be a question that the amount of the assessed taxes, if truly stated, would take this town out of schedule B. Moreover, in a sea-port, the assessed taxes did not necessarily constitute very important items. Great commerce might be carried on, and the assessed taxes not be great. The customs, excise, and other branches of impost formed the weighty part of the public revenue, of which the assessed taxes were only a thirteenth. If the relative importance of towns were to be estimated by these taxes, then would Brighton and Cheltenham be two of the most important towns in the empire, for Brighton paid as much as Leeds or Sheffield. Then, with respect to the houses in the borough, he would contrast the amount with those in Bodmin, Thetford, and Great Marlow. These three places contained only 580 10% houses, and upon each of them two members were conferred, while one was taken from Dartmouth, which contained more than double the number of 10% houses in any two of the specified boroughs. On referring to the poor-rate for Dartmouth, it would be seen that there were 381 houses valued at 10% and upwards. In point of population, and the rate of assessed taxes, the superiority of this town over Bodmin, Chippenham, Thetford, Lymington, and Totnes, could be incontrovertibly proved. If it must be disfranchised, it ought to be on

other principles than those of the bill. It might be said that the disfranchisement of Dartmouth was a matter of no moment to the country, and that might probably be true; but they should bear in mind that it was of vital importance to the British parliament, that they should not deprive a town of its elective privileges without due deliberation. The place, whose rights they were discussing, had a population of 5,000 inhabitants, and contained a more numerous elective body than would be found in thirty other towns of the empire. In addition to these statements, Mr. Croker compared the case of Dartmouth with that of Tavistock. There were four elements to be taken into consideration in deciding on the comparative importance of different boroughs. These were, first, the number of inhabitants which a borough contained; next, the number of its 10% houses; then the number of houses of every description and value; and lastly, the amount of assessed taxes. When these elements were added up together, the importance of one borough, as compared with that of another, was seen by a comparison of the different sums. That must be a correct calculation, even according to Lieutenant Drummond's principle. Now, according to that calculation, Dartmouth, which stood seventy-nine on the list of Lieutenant Drummond, was a borough of greater importance than Tavistock, which stood ninety-five on the same list. At Dartmouth there were 4,996 inhabitants; 411 10% houses; 634 houses of all descriptions; 768% assessed taxes; which four numbers amounted altogether to 6,809. At Tavistock there were 4,338 inhabitants; 269 10% houses; 624 houses of all descrip-



tions, and 1,124*l.* assessed taxes; which amounted to 6,355, leaving Dartmouth a great superiority over Tavistock. The result would be the same, if, in the calculation, only 10*l.* houses were taken into view, which was perhaps the fairer mode, as the others were to have nothing to do with the franchise. Even then, Dartmouth would be represented by 6,175, and Tavistock by 5,731. Lord John Russell stated, in answer, that the amount of assessed taxes in regard to this borough on which its place in the list had been determined, had been taken from the returns furnished to the government by the surveyor of taxes; and he was informed that the then amount for next year had been estimated at the same value as for the past. But it was urged, that the taxes paid were of greater amount than was stated in the assessment delivered by the collector to the commissioners. If this was the fact, a fraud had undoubtedly been committed by the collector; but the importance of the borough had been calculated from the assessment which it was legally bound to pay. If it could be proved that the assessment on which the calculation was made was not the proper assessment, there would then undoubtedly exist some ground for removing the borough from the place it now occupied; but, as the case stood, ministers could not, though Dartmouth might appear to suffer some hardship, break through the general rule laid down for all boroughs. Even under a new valuation, it would not pay a sufficient amount of assessed taxes to take it out of the schedule in which it now stood. On the division, 106 members voted for, and 205 against the

motion, that Dartmouth should retain both its members.

Another question connected with the amount of assessed taxes arose in the case of the borough of Helstone, which stood almost on the verge between partial disfranchisement and none. Mr. Croker stated that one portion of assessed taxes, amounting to 4*l.*, had confessedly been omitted, which would raise Helstone at least to No. 85. But another sum of 75*l.* had likewise been left out, which, when included, would take Helstone out of the schedule altogether. This last sum was the amount of the assessment, to which the members of the yeomanry cavalry of Helstone would have been liable for their horses, had they not been in the yeomanry cavalry. He submitted to the committee, that, in taking the value of the assessment of taxes, nothing could be more unfair, than to strike out of it the exemption granted to individuals for public purposes. Was it fair that a town should suffer a permanent injury, because its inhabitants were patriotic enough to contribute their services to maintain the general tranquillity of the country? This was not a question of policy, but a question of right; and it was intolerable that the inhabitants of this borough should be thus deprived of their rights. His Majesty's ministers ought, in the first instance, to have told the inhabitants or freemen of the borough that it was their intention to deduct from the amount of the assessed taxes chargeable on the town the exemption claimed for service in the yeomanry corps, and not have thus caught them in the trap which deprived them of one representative. It came distinctly to this, that a



borough was to be disfranchised on account of its public services. In December, 1830, a period of great disquiet, the government had called this yeomanry corps into active service, which exempted them from the payment of the tax. The reform bill was brought forward in April, 1831; so that the yeomanry corps, by being, on an occasion of emergency, called to do duty for three months, forfeited the franchise of themselves and their children! When the yeomanry were reduced, the exemptions would cease. Why should Helstone be placed in a different situation, than if the taxes had actually been paid to the government and repaid to the yeomanry? for on the inhabitants in general, who were to be disfranchised, this exemption granted to the yeomanry conferred no benefit. Ministers answered that they could not consent to include the amount of these taxes, because if they did, they should soon have applications from other boroughs to have added to the amount of their assessed taxes the exemption granted to farmers for horses employed in husbandry. They were supported by 256 members against 179.

The disfranchising clauses being thus disposed of, those which gave members to places hitherto unrepresented came next in order. Schedule C occupied the committee on the 28th of February, and the 2nd of March. The only debate or division which took place regarded the granting of new members to the metropolitan districts.—The Tower Hamlets, Finsbury, Marylebone and Lambeth. The marquis of Chandos, sir E. Sugden, sir G. Murray, and Lord Sandon strenuously resisted this addition to

the influence of the capital. They argued that this provision was unnecessary, and was so far from being expedient, that it would lead to greater excitement in the metropolis than had been produced by any question ever mooted in the history of the country. It would give to the 10% householders of London a power inconsistent with the safety of the country at large. The metropolis would in fact return no fewer than twenty-two members. There were four for the city of London; two for the borough of Southwark; two for the city of Westminster; two for Middlesex, who, it was notorious were always chosen by the metropolis; two for Surrey, for the way, in which the county of Surrey was divided, threw the whole of one division into the power of the voters of Brixton and one or two villages in that neighbourhood. There were then to be added two for Marylebone, two for Finsbury, two for the Tower Hamlets, two for Lambeth, and two for Greenwich—for Greenwich must be added to the list of metropolitan boroughs, making in all twenty-two. It seemed no good purpose to refer merely to the proportion which the wealth, population, and intelligence of these districts might bear to those of other places; for if that rule were applied, London ought to return not fewer than fifty members, and yet no one had made such a proposition, because all were convinced of the impropriety of establishing a system of representation founded on such comparative views of wealth and population. When it was said that the Tower Hamlets, Marylebone, Lambeth, and Finsbury were not represented, had those who used this language ever

known a case in which the interests of those districts had been neglected, or in which there had not been a full attendance of the members who usually resided in London? Look, for instance, at the attendance of members at present on the committee which was examining into the propriety of preserving the Lady's Chapel, at St. Saviour's,—look too at the attendance which took place when it was proposed to enclose and build upon Hampstead-heath. Three or four hundred members, at least, attended upon that occasion, and the project was at last defeated by independent members giving their attention to its details. Whoever recollected that there were never less than 150 members residing in the metropolis, and connected with its various interests, would feel it was impossible for the inhabitants of the metropolis to say that they were without representatives. To judge properly of the consequences of this provision, they ought, too, to bear in mind the rate at which population increased in these districts. In Marylebone, by the census of 1831, the population was 240,000, being an addition, during the last ten years, of no less than 66,000. The number of 10<sup>l</sup>. houses in 1831 was 29,000; in 1821 20,790; being an increase of 8,353. In the Tower Hamlets the population in 1831 was 302,000; in 1821 264,000; being an addition, during the last ten years of 38,000. The number of 10<sup>l</sup>. houses in 1831 was 20,655; in 1821, 16,727. In Lambeth there had been an addition to the population in the last ten years of 52,000, and an addition of 10,000 10<sup>l</sup>. houses. In Southwark there had been an addition of 10,000 to the population, and of 10<sup>l</sup>. houses, 2,325. During the

last thirty years, the number of persons polled in London never exceeded 8,639, and now they were adding 15,000 besides the liverymen. According to a statement before the House, it would not be possible to find a house in London of so low a value as not to be entitled to a vote, so that there would be cases in which persons could take a house, and live in one room of it rent free, and yet have a vote.

The marquis of Chandos contended that, by enlarging the representation of the county of Middlesex and that of the borough of Southwark, ministers might have extended the same justice to the inhabitants of the metropolitan districts, and might have conferred the same benefit upon what they were pleased to entitle the cause of reform as they had done by their present proposition. If he succeeded in defeating the motion to give two members to the Tower Hamlets, he proposed to recommend that there should be given to the county of Middlesex an increase of representation, by which the agricultural interests of that great and important county might be more guarded and better secured. He would then attach Lambeth to the borough of Southwark, Marylebone to the city of Westminster, and the Tower Hamlets and Finsbury to the city of London. In this way they would increase the constituency of places which now returned representatives, and enable the inhabitants of the metropolis to exercise their rights in a manner consistent not only with the interests of the metropolis, but also with those of the country at large.

Lord Althorp, Mr. Macauley, Mr. C. Grant, and Lord John

Russell maintained, that an increase to the metropolitan representation was required both by justice and by the principles of the bill; and that the dangers apprehended from it were visionary, while those which would attend its refusal were real and unavoidable. Looking at the principle upon which any bill must be founded which proposed to enlarge the representation, and to increase the popular nature of the constituency, it was impossible, if they regarded at all the population, the wealth, and the intelligence of the metropolitan districts, not to include them in such a bill. The committee had consented to give the right of returning members to several large manufacturing towns and commercial districts; but in no instance had the committee given that right to any place which were so important as the metropolitan districts. Some, at least, of the opponents of the clause admitted all this, for it was proposed to unite the Tower Hamlets and Finsbury with the city of London, Marylebone with the city of Westminster, and Lambeth with the borough of Southwark. Yet one of the objections was, the confusion which would prevail in these districts at the period of elections; but if these districts were united with London, Westminster, and Southwark, would there be less confusion at such periods? Was that principle of the bill, which stated that the votes at each election should be taken in the different districts, to be abandoned? If it was, would not great confusion ensue from concentrating in one polling place the numerous voters of such extensive and populous districts? and, on the other hand, if it was not, would not the elections be going on in each of these me-

ropolitan districts, just as if they were in the enjoyment of the right of returning representatives exclusively their own? But this plan of metropolitan representation, it was said, would give an undue preponderance to the inhabitants of London within the walls of this House. It was astonishing that gentlemen should be found absurd enough to think that the addition of eight members to those already returned for the metropolis would produce such an influence in that House as would overpower the votes of the other 650 members. But the great danger apprehended seemed to be that the metropolitan members would have no opinions of their own—that they would be the mere tools of the population of the capital, who could assemble at every moment, and keep them incessantly under the lash. This preponderance of the people, Mr. Macauley said, might be an evil, but it was not an evil that should be dreaded. It was true that a great city, which was also the seat of government, might overawe the government: but that was an evil which was so far from being connected with the number of its representatives, that it might exist most where there were no representatives at all; and no where was this seen more than in countries in which the authority of government was most despotic. The Roman empire, whilst it governed its distant provinces, was overawed by its rabble at home. The populace of Paris compelled the king of France to appear in the balcony and to repeal unpopular laws; and the mob of Madrid could overawe Charles III. and compel him to dismiss an obnoxious minister. At this moment the capital, where the rabble was most

powerful, was the seat of the most despotic government in Europe, Constantinople, where the sultan and his ministers were compelled to respect the wishes of the populace in the very view of the seraglio. As long as law remained, the power of London would be as 160,000, but the moment law was at an end that power became as 1,000,000. As long as government subsisted, an addition to her representatives made the populace of London weak; but if a larger share in the representation were denied, the metropolis might become a vast and turbulent force. This bill was meant to be a great deed of conciliation; but would the House frame it so that it should produce violences and heart-burnings? It was a measure intended to be fixed, as far as any human measure could be fixed; but would the House so frame it as that the first measure of a reformed parliament would be to discuss a new measure of reform? If the bill was passed with no additional members for London, there would be a clamour in the metropolis against the measure; and what opinion would be entertained throughout the country if the reform bill was passed with this distrust of the middle classes?

Mr. Grant maintained, that in all ages it had been the practice and principle of the constitution, that the metropolis of this great empire should possess a pre-eminence of representation; and that the great districts connected with it should be considered as separate constituencies. If the authors of the reform bill had proposed to leave the representation of London as they found it, while they gave representatives to various large bodies

throughout the country, they would have received remonstrances and reproaches from the other side of the House for having deviated from the practice of the English constitution; they would, no doubt, have been told that the metropolis had always enjoyed a superior share in the representation, and they would have been asked to state upon what principle it was that they proposed relatively to degrade the metropolis.

Sir R. Peel contended that, if justice, or the principles of the bill required that London should return an increased number of members, because it had made great advances in wealth and population, this consideration must be equally valid as respected other parts of the empire. But it was not so applied; it was not, therefore, a principle or a rule; and a reason still remained to be given why this dangerous exception was made in favour of London. If the argument were sound, what was to be said of the cases of Liverpool and Dublin? In ancient times Liverpool returned two members, and Tamworth also returned two members. No increase in the prosperity of the last-mentioned borough had taken place, yet it was to retain both members. Liverpool, however, with a rapidity perfectly inconceivable, had advanced in population and wealth, and set an example, among commercial places, of intelligent devotion to the sciences, and judicious cultivation of the liberal arts. But what corresponding increase had been made to its representation? And was it consistent with the argument, that the representation of Liverpool should be limited to two members, while places, not one-

tenth of its importance, retained the privilege of returning the same number of representatives? Or, if it was only a metropolis that was entitled to special favour, how did the argument apply to the case of Dublin? The metropolis of Ireland had always a pre-eminence in the representation of the country. Belfast, Limerick, Galway, and Waterford had hitherto returned one member each, and Dublin two members. Dublin had gone on increasing in wealth and population; but, notwithstanding that, it was proposed by ministers to give an additional member to Belfast, Waterford, Limerick, and Galway, while the ancient metropolis of Ireland was (very properly in his opinion) restricted to its ancient representation. In Scotland, too, Edinburgh, ever since the Union, had enjoyed the pre-eminence of electing a member of its own, while the other cities and boroughs were thrown into classes, each borough or city in a class electing only a portion of a representative. Edinburgh had ever since been advancing with rapid steps in wealth, population, and industry; the empire did not contain a name more closely associated with all that was profound in science, or graceful in art, and none that could boast of having contributed more largely to the literary splendour of the common country. But, notwithstanding all this, Edinburgh was now to be deprived of its elective pre-eminence by the very men who argued that the metropolis of England ought to receive an accession of power, because it had always enjoyed the right of electing a greater number of members than any other city or borough in England. The argu-

ment, again, that the concession of representation to the metropolitan districts would serve as a safety-valve against disorder, was one which was very often taken for granted, but he did not find that it was confirmed by experience. It was the boast of the French representative system that a large proportion of the Chamber of Deputies was returned by Paris; yet he did not find that Paris was the less disturbed on that account. He was not now speaking of what occurred in the ancient times of the despotic Bourbons, but of what had happened since a free constitution had been established in France. He recollected also the riots which occurred in this country in 1780, and he learned from them that the number of representatives which the city of London sent to Parliament was not sufficient to prevent tumult and confusion. Again, three towns, in which the elective franchise was popular and extensive,—Bristol, Nottingham, and Derby,—had been selected by his Majesty, in the course of the present year, for a special commission. On the other hand, when he looked to Scotland, whose corrupt and inadequate elective system had so often been sneered at, he was at a loss to discover any ratio between disorder and a want of representation. The fact was, that when any strongly exciting cause was acting on great masses of people collected together, they never thought whether they were represented or not. But the sort of constituency by which these new members, as well as the old, were to be elected, was of still greater importance than the increased number of the representatives. The same principle which



was applied to the formation of a constituency in the smallest towns in the kingdom was applied to the formation of the constituency of this great metropolis. Where it would have been safe to extend the representation, there it was curtailed; and where its extension was objectionable, there it had been extended. It was safer to admit more of the inhabitants of small towns to the privilege of voting, than the inhabitants of large towns, because they were much less subject to political combinations, and less liable to be agitated by the operations of the press. Did the government know what would be the number of voters in the metropolis, excluding Middlesex? By the returns, it appeared that the whole constituency of 26 of the largest towns in the schedule, according to the new qualification, would be 67,405. After making all due deductions, the total number of voters in the 26 largest boroughs in England would not exceed 50,000 persons, whereas, in the metropolitan districts there were 59,000 persons renting houses above 10*l*. Surely this might be taken as a proof of the anomalous character of the clause. Taking the smallest boroughs as they came to him on the list, he found that the number of houses in them above 10*l*. was, in proportion to those below that standard, as 1 to 8; but London presented most extraordinary results of a different kind. Would the House believe that the right of voting would have been restricted, if it had been given to all the inhabitant householders? If the clause did not give universal suffrage, it would give a suffrage more extended, in consequence of the double right of

voting which he apprehended would follow from the bill. In the parish of St. George and St. Giles, there were 4,025 houses, deducting the uninhabited houses. Now while there were only 4,025 inhabited houses, there would be 4,280 voters, as might be seen by the returns on the table of actual rate-payers,—those who had compounded for payment, and others. In the very next parish there were not more than 3,000 houses, and of these only 40 were let for less than 10*l*. In the parish of Paddington, by the population returns, there were 1,126 houses, while the return of persons rated as occupiers of houses was 1,329. In St. Pancras the same result would be found. It contained 8,424 inhabited houses, and there the bill would give it 8,502 voters. Were the advocates of the bill sure that, in thus extending the right of voting, they would really, as they professed they would, rally the respectable persons of the middle class around the constitution, and that they were bestowing it not on intelligence and respectability, but on numbers as contra-distinguished from both. They were giving an undue weight to the metropolis. If the House were resolved on creating these additional members, they ought to take at least some time to determine what ought to be the constituency by whom these members should be elected, and inquire whether they were going to empower persons to vote for representatives in parliament, who had been excluded from the direction of parochial concerns? Such details were matters of the most serious importance; for if they came to an unwise decision now, according to gentlemen opposite,



the step would be irrevocable. If in a reformed parliament the pressure of opinion from without would be so great as had been anticipated, did they think that, if they passed the clause, they would have the power of recalling it?

The division gave ministers a majority of 80,—316 members having voted with them, and 236 against them.

Schedule D contained those new boroughs which were to return only one member. An unsuccessful attempt was made to place in this schedule Stockton-on-Tees, which was stated to contain, exclusive of the adjoining villages, 7,762 inhabitants, and no fewer than 600 houses, valued at 10*l.*, while the custom duties collected at its port, even after deducting the duty on sea-borne coal, amounted to 40,000*l.* The proposal was resisted on the ground that, although this town was undoubtedly a place of importance, there were other places equally important, and it was impossible to give members to them all.

Under the former bill, a large majority had rejected a motion to place Chatham among the newly-enfranchised towns; ministers themselves had now adopted the proposition, and it was agreed to without objection.

The discussion, likewise, of the comparative merits of Gateshead and Merthyr Tydvil, was renewed; Colonel Wood having moved, that the latter should be inserted in the schedule instead of the former. Ministers, on the other hand, insisted that it was enough to leave it in schedule E, where it was united with Cowbridge, Aberdare, Llantrissant, and Cardiff. Colonel Wood stated that Merthyr Tydvil contained a population of 22,083

persons, and had 4,367 houses, and 674 occupants of houses of the annual value of 10*l.* and upwards; containing within its own limits four of the largest iron works in the British dominions, with no less than 32 blast furnaces; it was also situated in the centre of a district, in which more than one-third part of the iron made in Great Britain was produced, and in which no less than 100,000 persons resided. The inhabitants were therefore unable to understand the principle upon which Merthyr Tydvil was excluded from schedule D, while so many places of inferior relative importance were admitted into it. They stated, that, according to the principle adopted by Lieutenant Drummond, Merthyr Tydvil was evidently higher in the scale than Bury, Kidderminster, Whitehaven, Walsall, Kendal, Frome, Gateshead, Ashton-under-Line, South Shields, and Whitby. They likewise stated, that if their claim to a representative were to be decided by the amount of the population, they would stand in an equally advantageous situation with respect to the boroughs which he had just named. The amount of their population was 22,083, and in those boroughs it was much below 20,000. They felt more deeply the injustice of being deprived of a representative when they contrasted their situation with other places to which representatives were now for the first time given. In the Staffordshire iron district it was proposed to give to Birmingham two members, to Wolverhampton two members, to Dudley, situated only six miles from Wolverhampton, one member, and to Walsall, also situ-

ated about six miles, one member; so that in a circle of which the radius was 13 miles, there would be six members returned from places connected with the Staffordshire iron trade, besides the two members for the county. They farther stated in their petition, that Newcastle now returned two members,—that the city of Durham returned two members—that Sunderland was to return two members—that Gateshead, divided from Newcastle only by the river Tyne, was to return one member—that Tynemouth, only seven miles distant from Newcastle, was to return one member—and that South Shields, divided from North Shields by the Tyne, was also to return one member. Thus, within a circle, drawn to a radius of 12 miles, there were not less than nine borough representatives connected with the northern coal trade, in addition to the four knights of the shire for Durham and Northumberland respectively. They were perfectly aware that in schedule E it was proposed that Cowbridge, Merthyr Tydvil, Aberdare, and Llantrissant should have a share with Cardiff in the election of a member; but they deprecated this union, because Cardiff was distant 25 miles, Llantrissant 19, and Cowbridge 30 miles from Merthyr Tydvil, and none of them had any community of interest with it. Yet not an hour had elapsed since Lord John Russell, when asked why Gillingham had been excluded from Chatham, answered, because it was too distant,—and the distance was a mile. Again, Sandwich and Deal had been united, to return two members, although they had not one-fourth of the population of Merthyr

Tydvil; and Halifax, Bradford, and Oldham, though greatly below it, were each to have a representative. Sir R. Peel insisted that in this, as in other cases, the only principle that could be discovered was, partiality. Whether Gateshead, a suburb of Newcastle, was entitled to a separate member, was a question which the committee would be able at once to decide, by looking at the fact, that the bill allowed Toxteth Park, a much more important place, to be swallowed up in Liverpool. On a former occasion the ministers had been opposed to giving a member to Salford, on the ground that it was only a suburb of Manchester, and they had been asked why they did not likewise give a member to Toxteth Park distinct from Liverpool. Their principal answer had been, that the inhabitants of Toxteth Park had never expressed a wish to have a separate representative. Even assuming that this would have been a good reason, it now turned out that it was not true in point of fact; the inhabitants having actually transmitted a memorial to ministers, who not only forgot its existence, but made its supposed non-existence the justification of their conduct.\* Now, let the committee only compare Gateshead, the suburb of Newcastle, which was to have a member, with Tox-

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\* Lord Sandon, one of the members for Liverpool, confirmed this. He stated that he had that evening received, by post, a petition adopted at a numerous and public meeting of the inhabitants of Toxteth Park, expressing their great regret that their memorial, which had been transmitted to the Home-office, had not been attended to, and that their wishes to have a representative had been unavailing.

teth Park, the suburb of Liverpool, which was to have none. By the returns of 1815, the annual value of real property in Gateshead was 25,000*l.*; that of Toxteth Park was 27,000*l.*; but last year the property assessed in the latter place amounted to no less than 94,000*l.* The inhabitants of Gateshead amounted to 15,000; those of Toxteth Park to 24,000. The population of the latter place was 11,800 in 1821, so that it would appear that it had actually doubled within the last ten years; and it contained no fewer than 2,617 houses of the value of 10*l.* and upwards. The partiality thus manifested became still more glaring when the condition of the counties was considered. Although Durham had only 253,000 inhabitants, and Lancashire 1,335,000 inhabitants, yet each was to have the same number of members,—namely, four. If they took away 1,000,000 of inhabitants from Lancashire, the population would exceed that of Durham. In the latter county, there would be six boroughs within a circle of ten miles, and one half of them would be new creations. Much had been said about giving members to the metropolitan districts; but a greater number of boroughs would be created, and connected in this north-eastern corner of the county of Durham, than would be erected in the metropolis of the empire.

Many of the usual supporters of ministers and the bill were hard pressed to get over the strong case which was here made against them. Some of them thought that Gateshead deserved a member, but stated, at the same time, that they would support any motion for adding Merthyr Tydvil to the schedule.

Ministers, themselves, indeed, threw out the idea, that the claims of the one place, however strong, were no reason against the other; but they gave no hint of being willing to include Merthyr Tydvil, and left it plain enough that the question was one of comparison. Mr. Wason said that he had formerly supported the pretensions of Gateshead, but matters were now so changed, especially as there were no members to spare, that he did not think it entitled to a separate representative from Newcastle; and Mr. Labouchere stated that although he was sorry to differ, for the first time, from the views of ministers regarding the bill, right and justice compelled him, in this instance, to vote against them. They had a majority of 47, the votes for the original motion being 214, and those against it 167.

On the bringing up of the report, however, (March 14) Lord John Russell informed the house, that Ministers had resolved to allow Merthyr Tydvil a member of its own, treating it, he said, “like an English town rather than a Welch contributory borough.” But he added that the member thus to be given to a Welch town must be subtracted from a Welch county. The county of Monmouth had retained its two members under the first bill; under the present it was among the counties which were to return three members, and it was the only county with a population below 100,000 on which that privilege had been conferred. He proposed, therefore, that Monmouthshire should be omitted in the clause enabling certain counties to return three members, and that Merthyr Tydvil should be

inserted among the new boroughs which were to return one member. His proposition was opposed, not on the ground of what was given to Merthyr Tydvil, but on the ground of the injustice of taking away a county member, instead of striking out Gateshead, or South Shields, or some of the other boroughs which had obtained a member in preference to places far better entitled to the privilege. This, it was said, was particularly unjustifiable, considering the stage at which the bill had now arrived. It was not right after the balance had been struck, to take away a member from the agricultural interest, for the sake of giving one to a manufacturing town; and it was utterly disgraceful that a county should be attacked, in order that favourite boroughs might be preserved. As to Monmouthshire having had only two members under the first bill, that consideration might have been worth something, if every thing else had remained as it was under the first bill; but so far was that from being the case, that eleven new boroughs, which, under the former bill, were to receive only one member, were now to receive two. Out of the 23 members gained by keeping up the original numbers of the house, only one had been given to the counties, and that one was now taken away. Why was Monmouthshire sacrificed more than Berks or Bucks; and why were its freeholders thus deprived of a member, secured to them by a vote of the committee, on the mere *sic volumus* of government, without the slightest hint or notice of such an intention having been given? Great, indeed, must be the confidence of ministers that they could

shuffle and turn round their majority as caprice might dictate. To give a member to Merthyr Tydvil was only to follow out the ostensible principles of the bill; but to take it from Monmouthshire was to depart from all these principles and to contradict the decisions of the house, and of the committee. On the division there was only a majority of 45 for the motion, 191 having voted for it, and 146 against it.

Similar objections were stated, and with the same result, against the motion for placing South Shields in D, with a member for itself. Mr. Croker moved that it should be omitted, and that North and South Shields should be united with Tynemouth, to return one member. The population of South Shields was proved, by the returns, to be 9,074, and the assessed taxes amounted to only 900*l*. It was seven or eight miles from Newcastle, six or seven from the new borough of Gateshead, five from the new borough of Sunderland, and a whole furlong from the new borough of North Shields. Why was not South Shields joined to one of these other places; and, above all, who would attempt gravely to answer the question, why it was not made one borough with its neighbour and namesake—North Shields? Ministers told them, that, in enfranchising new places, they were guided by the average of population and assessed taxes. It followed that, on their own principles, every town which stood above South Shields in regard to these elements was, at least, equally entitled to a member. Here then were the population and assessed taxes of a number of places which the bill wholly neglected:—

	Population.	Assessed Taxes.
		£.
South Shields .	9,074	900
Stourbridge . .	6,148	1,500
Warminster . .	6,115	1,560
Alnwick . . .	6,788	1,400
Congleton . . .	9,300	Average as- sessed taxes three times more than that of South Shields.
Mansfield . . .	9,400	
Trowbridge . . .	10,800	
Barnminster . .	10,300	
Loughborough .	10,100	
Ramsgate . . .	7,900	
Tunbridge . . .	10,300	
Gosport . . .	12,137	
Doncaster . . .	10,800	
Margate . . .	10,039	
Croydon . . .	12,400	

Now, on what principle of consistency could the supporters vote for the present clause which invested South Shields, the least important place in the foregoing list, with the right of returning a member, while the other important towns were not to have a single representative among them? the former, too, being within a stone's throw of a place returning a member, and in the neighbourhood of boroughs, while the above-named towns were most of them separated by a large distance from any city or borough. But, indeed, after the case of Merthyr Tydvil, with its 24,000 inhabitants, and separated by twenty-six miles from any place returning a member, and Toxtethpark, with its 25,000 unrepresented inhabitants, he almost despaired of succeeding in establishing a case for Croydon or Margate. He was aware that ministers had endeavoured to bolster up South Shields by annexing to it Weston, so as to make the aggregate population 18,600; but if they had acted in the same way to the other places, the disproportion, and, more, the injustice and incon-

ould only appear the more

glaring. Lord Althorpe merely said, that North and South Shields were on different sides of the Tyne, and that the former should be a separate borough as constituting a part of the shipping interest. It was immediately answered, that Sunderland and Bishop Wearmouth were on opposite sides of a river, and were exactly like North and South Shields in population, taxation, and number of houses, yet they had been made into one borough. Besides the shipping interest of South Shields was that of Newcastle; and the government, which had disregarded the shipping interest in the case of Dartmouth, was bestowing all its favour on the coal-shipping of the Tyne.

Walsall, in Staffordshire, was another of the places on which ministers proposed to bestow one representative, and this, too, was attacked as being inconsistent with fairness, no less than with the alleged principles of the bill. Taking the proper town of Walsall, it actually was the lowest in point of population and assessed taxes, of more than twenty towns, not one of which was to receive a representative. Moreover, in selecting this place, ministers had chosen precisely that section of Staffordshire which afforded the most limited constituency. In place of a town containing 6,000 inhabitants, with a district extending five and a half miles one way, and three miles the other, they might have taken a population of 43,000 all lying in a circle, the circumference of which did not exceed five miles. There was Durlaston which had increased by 3,000 inhabitants, Wednesbury by 4,000, Tipton and West Bromwith, each by 10,000, while Walsall had

gained only 900. To raise the population of this favoured place, there had been added to the proper town what was called the foreign of Walsall; and in this lay the inconsistency and unfairness of the measure as regarded other towns. Reigate, which had originally stood in schedule A, would have been saved, had its foreign been included in its limits. By the principle of the 10*l*. houses in the new scheme, it had been saved; but the foreign was not included in the new scheme. There was another town in England which had a foreign—the borough of Kidderminster, and in its limits, a part of the foreign” had been included, but not the whole. Doncaster was stated to have 10,893 inhabitants; but there was a division of it called the “Soke” of Doncaster; and the “Soke” was excluded from its limits. Was it not clear, then, from these instances, that there had been a different mode of dealing adopted towards Walsall and other places? In the present instance, too, it had been settled by a decision of the Court of King’s Bench, that the town and the foreign were entirely distinct. In the case of the *King v. the inhabitants of Walsall* (2. Barnewall and Alderson), the chief justice gave the judgment of the court in these words: “The court is called upon to unite the two townships of Walsall and Walsall foreign, which, as far back as human memory could go, have been in all respects, and for all purposes, separate and distinct; and, indeed, the documentary evidence carries the separation back for a century and a half. Every circumstance that could possibly exist to show that these were distinct townships for all purposes, is to be found in

this case.” The members for Staffordshire maintained, that, although the towns in the potteries had been formed into one district of boroughs, that was no reason why the towns connected with the iron trade should be treated in the same manner. The latter formed a more important district. As they manufactured different articles of iron, they had different interests to protect; whereas the towns in the potteries were all engaged in the same manufacture, and had a community of interest. The new member was necessary, likewise, in regard to the population of the county, which, by the last census, was 410,000, so that its sixteen members would give one for every 25,000 persons, while, in Dorsetshire, there was already one to every 11,000 persons. Walsall undoubtedly would not be such a place as to deserve a member, if its foreign were not included; but the foreign and the town were completely connected; the jurisdiction of the borough extended over the foreign; and the judgment of the King’s Bench, which had been referred to, regarded only a question of poor’s rates. To these considerations it was replied, that they either were new principles introduced into the bill, or had already been disavowed by the bill and by the House. When had it been laid down as a principle, that towns, engaged in the same manufacture, should be separated in representation, because they cherished different branches of that manufacture, or where was this system of subdivision to end, or in what other instance had it been applied? As to the county, who had proclaimed it to be a principle of this bill, that there should be a member for every 25,000 inhabitants,



or for any other number? In Chester, the proportion would be one for every 33,000; in Yorkshire, one for every 36,000: whence came it, then, that Staffordshire was entitled to have one for every 25,000, and that, in order to maintain this proportion, Walsall should have a member of its own? That the town and the foreign were so far connected as that the jurisdiction of the former extended over the latter might be true; but then a majority had already refused to admit such extent of jurisdiction as a reason for extending the boundary, and avoiding the disfranchisement of Appleby. The division gave a majority of seventy-eight in favour of Walsall; 165 having voted for it, and 87 against it.

A still larger majority carried the proposition for giving a separate member to Whitby, which was likewise opposed as an instance of gross unfairness, when compared with Dartmouth, and of the capriciousness with which the limits of places were so fixed as to suit a pre-determination to grant or refuse enfranchisement, resting on other and unknown grounds. Ministers justified their selection on these grounds: that Whitby, including two other townships which they had added to it, contained 10,000 inhabitants, and was much interested in the shipping trade; that it was not near any other borough; and that it was thought necessary to increase the representation of that part of Yorkshire in which it was situated. The opposition maintained, that neither its population nor its taxes entitled it to a member; and, what was stranger still, instead of increasing in population within the last ten years, as had been the case with

every other town or district which had been enfranchised, it had decreased; for it appeared, from the returns, that the population of Whitby, and the two townships united with it to bring it within the provisions of the bill, amounted to 11,249 persons in 1821, while the present population was only 10,299. According to lieutenant Drummond's calculations, there were no fewer than twenty six places better entitled to a member than Whitby. Its shipping interest was sufficiently represented by Hull and Scarborough. And what regard had been paid to the shipping interest of Dartmouth, when it was placed in schedule B, although it had a much greater number of vessels at sea than Whitby, and the duties collected at it were three times greater? The worst thing was, that in order to make out any case, and to bring together even this population of 10,000, ministers had been compelled to include two other townships, and had not scrupled, for that purpose, to cross the river Esk. Yet they had found it quite impossible to step across the river Dart, at Dartmouth, to effect a similar object; and they had justified their increase of the representation of the favourite corner of the favourite county of Durham, by giving South Shields a separate member, on the ground, that they could not join it to North Shields without crossing the Tyne. It was too much to ask reflecting men to believe that things like these did not arise from motives which did not fall under the observation of the House.—Whitby was placed in the schedule by 221 votes against 120.

On the 9th of March the committee had gone through the bill, having entered upon the examina-

tion of it on the 20th of January. The committee on the former bill had lasted from the 13th of July to the 7th of September. The report was considered on the 14th, when Mr. Croker put upon the journals, without pressing them to a division, certain resolutions embodying the objections, not to the principles of the bill, but to the manner in which they had been applied. On the 19th, the motion for the third reading of the bill was met by an amendment, moved by Lord Mahon, that it should be read a third time that day six months. The amendment was seconded by sir John Malcolm, and followed by a debate which was continued on the 20th and 22nd. The arguments were the same which had already been so often repeated in the House during the different

discussions respecting the bill, and its predecessor. Some members declared that the measure had not come out of the committee with all the improvements which they had desired and expected ; but that they would still vote for the third reading, because they believed that the rejection of the bill would now produce greater mischief than any which could arise from its provisions. The division gave a majority of 116 for the third reading, there being 355 for the motion, and 239 for the amendment. On the 23rd of March, the bill was passed ; an amendment, which went to raise the qualification to 20*l.* in Liverpool and all the new boroughs returning two members, having been negatived without a division.

## CHAP. III.

*Rumours of Creation of Peers—Bill read a First Time in the House of Lords—Second Reading of the Bill—Speeches of Earl Grey,—Lord Ellenborough—Earl of Haddington—Earl of Shrewsbury—Earl of Mansfield—Earl of Harrowby—Duke of Wellington—Lord Wharncliffe—Duke of Buckingham—Bishop of Exeter—Lords Wynford, Eldon, and Tenterden—The Lord Chancellor—Lord Lyndhurst, &c.—Second Reading carried by a Majority of Nine.*

**T**HE new constitution having been carried through the Commons, the reformers began again to be apprehensive of its fate in the Peers, and to bring again into operation their various engines of clamour and intimidation. During the progress of the bill through the lower house, they had incessantly been urging ministers to create whatever number of new peers might be necessary to insure its success. What were considered more particularly the organs of the ministry announced with undoubted confidence, that the minister had been armed, for this purpose, with a *carte blanche*; and he was loudly blamed by the reformers for delaying to carry through the intended creations. It did not subsequently appear that the ministry had been invested with any such power; but they allowed the statements that they did possess it to be put forth day after day, without any attempt at contradiction, in the hope perhaps that the belief in the supposed fact might not be much less useful to them than its actual existence. Nor was it merely the public journals, supposed to be under their control, which were allowed to make

these declarations. The same permission was given to their partizans in the House of Commons. On the 10th of February, Mr. Duncombe, one of the members for Hertford, and a violent partizan of the ministry, declared "that his Majesty had not withstood the advice to create peers, but had armed the ministry with powers to carry into full efficiency the national measure of reform; and he would tell those ministers, that if they did not exercise this power with prompt energy, they would incur the indignation of the country and deserve impeachment." No minister contradicted the statement.

When, however, it was seen, that the bill was to be laid before the House of Lords, without a single new peer having been created, it was concluded, either that ministers had not been armed with this power, or that they did not find themselves compelled to have recourse to it. On the one hand, it was natural that ministers should wish to avoid a measure, which, although they might be supported in carrying it through by public excitement, was utterly

ruinous to the independence of the peers, and placed the legislative power of the country exclusively in the crown and the House of Commons, the former again, in such circumstances, being the mere organ of the latter. On the other hand, those of the peers, who, though they had joined in throwing out the former bill, were willing to adopt a more modified plan of alteration, as naturally became inclined to yield still more, rather than incur the danger of seeing the king and their own house stripped of all respectability and influence, the one in creating, and the other in receiving, a band of mere political agents, formed into peers to serve a temporary purpose. In this expectation, the premier had been negotiating with these peers, who acquired, from their subsequent conduct, the appellation of "The Waverers." They may have supposed, that to allow the second reading of the bill was the only means of preventing the king from being compelled to create peers, and they may have had means knowing that such was his Majesty's intention. They may have thought that when they had thus manifested their willingness to receive the measure, and acknowledge its principle, they would be able, with less danger, to amend in committee its most perilous provisions—forgetting that the bill, as it had hitherto been treated, contained no principle which could be allowed to be modified, its principles being, not disfranchisement, enfranchisement and, extended qualification, but that particular quantity of disfranchisement, enfranchisement, and extended qualification, which was to be found already in its clauses. What hopes of this nature were

held out to them by the minister, or whether any were so held out, and whether, if they had resolved to resist the present bill, as they had done the former, the king was prepared to overwhelm the house, remained unknown; but earl Grey found himself justified in trying the bill without creating a new peer.

The bill was read a first time, in the House of Lords, on the 26th of March. Lord Harrowby and Lord Wharncliffe, who had led the opposition in the former session, declared their intention now to vote for the second reading, while the duke of Wellington and the earl of Carnarvon stated that their opinions remained unchanged, and their hostility undiminished. The second reading was moved on the 9th of April. The debate was continued on the 10th, 11th, and 13th, having been suspended on the 12th, in consequence of its being a levee day at court. Before the discussion began, the duke of Buckingham gave notice, that if there should be, as he trusted there would be, a majority against the second reading of this bill, he would bring in, after the Easter recess, a bill for the purpose of giving representatives to such of the large towns therein to be, named as, from their increased wealth, population, and importance in the country, required to be represented in parliament; and also for the purpose of consolidating the representation of certain boroughs which now elected members, so as to make room for the new representatives without adding to the numbers of the House of Commons, and to extend the franchise in such a way as might prevent undue influence, without depriving any man of his existing rights.

Earl Grey, in moving the second reading of the bill, said, that he considered himself almost entirely relieved from entering into discussion of its principles, in order to show that they deserved to be received and considered by the House; because there were few of their lordships, if any, who did not recognize these principles, and now admit that some degree of change was necessary. The very notice now given by the duke of Buckingham, admitted all the three principles of disfranchisement, enfranchisement, and an extension of the right of voting. Even, therefore, if the necessity for going at large into these principles had not been in a great degree removed by the repeated discussions to which they had already been subjected, he was justified in calling on the House to sanction the second reading of a measure founded upon a basis which was acknowledged to be just even by those who opposed the measure itself, inasmuch as they would have an opportunity of proposing, in the committee, such alterations in its details as might appear necessary and expedient. No longer, moreover, could this measure be stigmatized as revolutionary, since its principles were acceded to even by the most determined enemies of revolution. All change was not revolution, and least of all such a change as was proposed in the present bill. It was to be effected, according to the acknowledged principles of the constitution, by an act of parliament passed by the united will of King, Lords, and Commons. It infringed on none of the ordinary authorities of the land; it violated none of the ordinary forms of the constitution; it invaded not the privileges of their

lordships; it interfered not with the prerogatives of the crown. He knew of no way of effecting a reform in parliament—a measure which presupposed the existence of defects—except by one of three modes: either by disfranchising decayed and inconsiderable boroughs, which was the ancient practice of the constitution; or by giving the right of representation to large and populous towns which had risen into importance, and that too, was the practice of the olden times; or by a great extension of the right of voting, which had also been done in the good old times. These were the principles of the present measure; in none of them [was there any thing which strayed beyond the ancient limits of the constitution, or partook of a revolutionary character.

His lordship then entered into the details of the bill, and pointed out, first of all the alterations which had been made in the measure since it was last before the House. The new test of disfranchisement had been adopted to meet the objections of those who complained that the former bill proceeded on population alone. Government, anxious dispassionately to consider all suggested improvements in the measure not incompatible with its principles, had now adopted as a better test, a criterion derived from the number of houses, according to the census of 1831, and the amount of assessed taxes, according to the returns of the same year. Having done this, government had adhered to the number of boroughs to be disfranchised; and he did not think that the House, on any of the principles on which it was attempted to amend the represent-

ation of decayed boroughs, would be inclined to limit that number, though they might be disposed to increase it. But, whether the quantity of disfranchisement produced by the bill was, or was not, too great, was not now the question. That was a question for the committee to decide. The number of boroughs to be partially disfranchised had been reduced on the same principles, from forty-one to thirty, those being selected which, in the comparative list, stood next to the boroughs which were wholly disfranchised. Among the eleven boroughs thus preserved, were some county towns to the disfranchisement of which great objections had been stated. He knew it would be said, that the lowest borough in this list was not more worthy of a representative than the highest in schedule A, and that some of these, which had now been removed from even this list, were inferior in wealth and importance to many towns which were still to remain unrepresented: but these anomalies were inseparable from the principle, on which the government had acted, of retaining as much as possible of what existed at present. If the existence of such anomalies was to be made a charge against the bill, it was one which could be removed only by changes much more extensive than the government had ever contemplated.

Having next stated the alterations which had been made in the newly enfranchised boroughs, his lordship met the objection, that this was a dangerous addition to the power of the democracy, and a sacrifice of the agricultural interest. He argued, that not only would this addition be, in a great measure, counterbalanced by the alteration

which had been made in schedule B, but that these towns, so far from being opposed to, were intimately connected with, the landed and agricultural interests. It, no doubt, was probable that trading and commercial interests would predominate in some of them; but it was certain that many of these places were intimately connected with large landed proprietors, who frequently were the chief owners of the property in them, and whose influence could not fail to make itself be felt in the return of the members, although the members so returned would naturally be looked up to as the guardians of the interests of the electors. At this moment, were not places of the same description represented by the nearest relations of their lordships? and why anticipate that, in future, elections would not be decided, as they had hitherto been, by connexions which seldom failed, and which, he trusted, would never fail. It was an error to presume that all elections would be like the last, which took place during the ferment produced by this question of reform. Let the question be once satisfactorily set at rest, and he was convinced that the legitimate influence of rank, property, and good conduct would be restored; for these qualities combined had, in all times past, and must, in all times to come, exercise an influence, which was not only perfectly legitimate, but which it would be at once impossible and mischievous to remove.

The third principle of the bill was, the extension of the franchise, to which it had been objected, that it introduced rights unknown to the constitution. But so far was this from being true, that a case, reported by serjeant Glanville,



stated the constitutional law thus: viz. that if a new writ were to be issued to any great town or other place for the return of members to serve in parliament, and if there were no definition in the writ as to who should be the electors, the right of voting would be *ipso facto* in the resident householders. In this report, Selden, Finch, Noy, and other men eminent for their legal knowledge had concurred, and no lawyer had ever contradicted it. The right of voting in inhabitant householders was therefore the ancient right of voting under the constitution of the country; and thus the bill, so far from introducing a new right, only restored an acknowledged right, and that, too, with a limitation. It was in truth nothing but the present scot and lot right of voting, limited to householders of 10*l.* a year, and with the farther limitation of requiring that the rates and taxes of such householders must be paid, before they could be qualified to vote. Under the former bill the question whether a person possessed the 10*l.* franchise was left to be ascertained in any one of four ways—by his being rated at 10*l.*, or assessed at that sum, or paying a rent of 10*l.*, or by the value of the tenement being 10*l.* In the present bill, for the purpose of simplifying the provision, and preventing fraudulent practices, the franchise had been made to depend on the value of the tenement alone, provided that the rates and taxes assessed on it had been paid. He could see the difficulty which some anticipated in ascertaining the value. The present county qualification was a forty shilling freehold; and he had never heard that any great difficulty had occurred in getting at the value of county free-

holds. Another objection, that this qualification would produce too numerous a constituency, was founded on the fallacy of supposing that every qualified tenement would yield a voter; but one fourth must be deducted for houses not inhabited or inhabited by females, and for householders disqualified for other causes. As it included, likewise, all houses above 10*l.*, a large proportion would be of a much higher description. All these matters, however, would be better examined in committee, where he would be ready to examine and to concur in any proposed alteration in this part of the bill which the House might think calculated to improve it, provided only that the changes suggested did not alter the extent of the qualification.

Lastly, the county representation remained as it had been settled under the former bill, and he thought the House would easily see how unfounded must be the alarms of those who thought that the present measure would be fatal to the influence of the landed interest. The number of county members would be 144. The members for the old boroughs, in which there had been no alteration, except a diminution of thirty members by means of schedule B would be 264, and the members for the new boroughs sixty-four; all the borough members thus amounting to 328, and the county and borough members of England amounting together to 472, or, adding the Welch members, to 500, being less than the former representation of England and Wales by only thirteen members, which had been distributed between Scotland and Ireland. The 144 English county members would necessarily be connected with the landed in-

terest. He would say the same of the 264 preserved borough members, thereby making a total of 408 members connected with the landed interest, out of 472. There would remain only the sixty-four new borough members, who, if they proved to be entirely identified with the manufacturing or commercial interest (a circumstance hardly to be anticipated) would not give to the places that returned them a more comprehensive share in the representation than they were justly entitled to on account of their advances in wealth, intelligence, and every thing that gave reasonable claims to the possession of constitutional power.

Earl Grey was followed by lord Ellenborough who moved, as an amendment, that the bill should be read a second time that day six months. He admitted that the bill had passed the Commons by a considerable majority, and that the majority was seconded by a very considerable body of persons in the country ; but when he recollected how often material alterations had been made in the bill, that the qualification clause had been remodelled no fewer than eleven times, that a town had been enfranchised at the very last moment, that among forty-six boroughs of the original bill there had been forty-seven changes, and that no such sweeping alteration had ever been made in the established constitution of a great country, he could see no reason for adopting this last emanation of an ever-changing mind. There no doubt was a very large body of respectable persons whose opinions ought to be held in proper regard, who were anxious that some change should take place in our system of parliamentary representation. In

concert with such persons he would be ready to consider what change could be effected conducive to the public interest ; but even among these persons there existed no desire for such changes as this bill introduced. The alterations made in the bill were of no real moment, and some of them made the matter worse. In the former bill the disfranchising clause merely declared that certain boroughs should be disfranchised ; but, in the present bill the number of such boroughs was fixed in the clause. By the former bill, after the principle of disfranchisement had been admitted, there would have been an opportunity of expressing an opinion with respect to the particular boroughs to which it should be applied ; but, by the present bill, all discussion on that point was precluded, and the clause at once deprived fifty-six boroughs of their members, and thirty more of half of their present number of representatives. He could not see upon what principle of justice it was possible to agree to that clause. When it was proposed to cut off these boroughs at once, he would only ask the House to look at the members whom they returned. Twenty members sat in the House of Commons for these boroughs, who were connected with the army, and were perfectly well acquainted with the organization of our military force. Amongst these were many not undistinguished officers, including sir Edward Kerrison, sir William Pringle, and sir Henry Hardinge, all of whom, and particularly the last, had greatly distinguished themselves in the civil as well as the military service. If the bill should pass, all these able persons would be excluded from the House of Commons. Seven mem-

bers of the naval profession sat for the proscribed boroughs, all of whom were men of great reputation. There were likewise fourteen great merchants, similarly situated, including Mr. Attwood, Mr. Sadler, Mr. Irving, and one of the members of the house of Baring. Then, again, there were seventeen members returned for these boroughs, who belonged to the profession of the law, including the Solicitor General for Ireland, the Attorney and Solicitor General for England, the late Attorney and Solicitor General for England, sir C. Wetherell, Mr. Pemberton, Mr. Knight, and Mr. Macaulay, and many other persons equally distinguished. In fact, all the most distinguished men in the legal profession were members for the boroughs which it was proposed to disfranchise. At present the East Indian interest was represented by eight gentlemen, amongst whom were sir George Staunton, sir John Malcolm, Mr. Marjoribanks, and the two Messrs. Alexander. These gentlemen, who represented the country trade of India, and also the China trade, were members for the boroughs which the bill proposed to exclude from the representative system. There were, besides, twenty-seven gentlemen of large landed property, who under other circumstances would possess fair pretensions to represent counties, and whose independence was above all suspicion. In addition to these there were thirty-nine other gentlemen who possessed property in the funds, or were in other respects fully qualified to sit in parliament. Yet the country was told that all the distresses which it suffered were referable to the corruption of the persons who sat for the boroughs. Their very names were

sufficient to negative such a charge. Was it not a fact that practically the whole business of the House of Commons was executed by these gentlemen? And what had parliament done to justify those charges of corruption and mis-government,—that parliament which the noble secretary for the colonies had himself styled a calumniated parliament? Between 1822 and 1830, before the present ministers entered office, the parliament repealed 15,500,000*l.* of taxes, and, by a provident and able management of the public debt, the interest upon it was reduced 4,000,000*l.* The same parliament also reduced the public expenditure more than 4,500,000*l.*; it reduced the salaries of offices connected with patronage to the extent of 700,000*l.*; abolished more than 4,000 offices; and, in the last year of the Duke of Wellington's administration it repealed a million of taxes. During this period exports increased in value 12,500,000*l.* and imports 15,000,000*l.*, and our coasting trade, 9,000,000 of tons. The criminal laws were revised and altered, and improvements were made in the mode of conducting civil suits. Parliament likewise came to a decision upon other questions with respect to which there existed a great difference of opinion; but the decisions of Parliament were made in accordance with the general feeling of the most enlightened persons, and certainly in conformity with the opinion of the present ministers. The currency was established on what appeared to him to be a safe and wise basis. The corn laws were fixed upon the best principle which had ever been applied to that question, and they had worked better than any others heretofore

adopted. In the course of the same period, the test act was repealed, and the bill for the relief of the Roman Catholics was passed. Every thing was done for the establishment of civil and religious liberty, and for the general welfare of the realm. With these proofs of the activity and wisdom of parliament, it was not fair to say that parliament had been unmindful of its duties. He would go further and say, that, under no system of representation partaking of a much more popular character than that which at present existed, could such measures as those he had just adverted to have been adopted. He considered no part of the bill more objectionable than the uniform 10*l.* qualification. It would not give power to the middle classes. It went below them, but not to the poorest classes. It disfranchised both the middle and the poorer classes. In all England and Wales there were only thirty-one places, in which the renters of between 10*l.* and 20*l.* would not have a decided majority over all the other voters, and the result was, that they would have a majority of fifty on the whole representation of England and Wales. It was evident that the bill would disfranchise the middle classes. He respected those classes, but he thought some misunderstanding existed as to who they were. He understood the middle classes to be composed of persons who possessed the means of education but not of idleness. It was the class from which almost all distinguished men were drawn—from which many of their lordships were drawn. The bill did not give power to them, but to the class immediately above the poorest,—those who were the plaintiffs in courts of conscience. They would

have the power of legislating for their poor debtors, while, at the same time, the power of legislating for persons who had property would be given to those who had little or none. He argued that the unavoidable result of having created such a constituency would be a necessity for going farther. The electors would exact pledges from their delegates, and when that was done, the House of Commons ceased to be a deliberative assembly. A primary assembly would be constituted to issue mandates to its delegates, and with such a system this country could not exist. He contended that, if the present bill passed, parliament must be prepared to go farther. It would be impossible to resist the demands of the most numerous and most necessitous class in the state, and concession must proceed, until universal suffrage was established. He knew that by rejecting the bill inconveniences might be created; but he believed that none would be created which might not be met by a firm government, and certainly none equal to the danger which would, in his opinion, follow the establishment of the proposed system of representation.

Lord Melbourne spoke briefly in favour of the bill. The bishop of Durham opposed it. He by no means considered that the rejection of the present measure implied a rejection of reform *in toto*; but it was the duty of ministers to have proposed a measure calculated to satisfy both the party that was anxious for reform, and the party which felt alarmed at the consequences of great changes, while they had introduced a proposition which would gratify neither party. He had not yet heard, what prac-

tical evil the reform bill would remove, or what practical good it would effect. It tended to establish a dangerous precedent by disregarding prescriptive rights and privileges. The new constituency would be, to a great extent, of a democratic character, and set upon still farther democratic innovations. There was a disposition of general restlessness abroad, a rooted antipathy to ancient institutions merely because they were ancient, and a desire to make rulers subjects, and subjects rulers. This feeling would only be increased and encouraged by the present bill. If he thought that the lower orders would be at all bettered in their political, or moral, or physical condition by the bill, he should feel relieved from much of his apprehensions of its mischievous consequences; but, as he was sure that it would not, and that, on the contrary, it would tend to distract their minds from the pursuits of industry, and induce habits of restlessness and discontent, he, for their sake, was bound to raise his voice against it.

Earl Bathurst had no objections to a bill for reform, but the present measure would make parliament worse than it had ever been. He particularly called on the House to recollect the declaration which the Lord Chancellor had made regarding the 10*l.* qualification, during the discussion of the former bill—that it was emphatically a subject for deliberation in committee, and for such alterations as their lordships should think fitting. But now it was not to be touched, although it was a qualification opposed to the recorded opinions of its present patrons, as well as of the people. In the debate in the House of Commons for transferring the franchise of a corrupt borough

to Leeds, lord Milton, to express his strong dissent from the proposition to make 10*l.* the rate of qualification, moved, as an amendment, that the votes be taken by “scot and lot, according to the wise custom of our ancestors.” That amendment was seconded by lord Althorpe, who declared in emphatic terms that he contemned the proposition of a 10*l.* qualification. Lord Milton stated at the time that he was authorized to say that the people of Leeds were decidedly averse to the proposition for admitting every man rated at 10*l.* to the right of voting, as they conceived that so low a rate would defeat the benefits contemplated by enfranchising their town. The same opinion was acted upon by lords Milton and Althorpe, with respect to the proposition for transferring the franchise from Penrhyn to Manchester, in which they were soon after joined by lord John Russell, the originator of the proposition. When the question was first mooted in the Commons, sir George Phillips rose in his place, and said, that, as one particularly well acquainted with the feelings of the people of Manchester, he felt it but his duty to deprecate so low a rate of franchise as 10*l.* being adopted in that town; that the inhabitants themselves were averse to any rate less than 20*l.*, or 15*l.*, at the very lowest. In the next session lord John Russell altered the rate to 20*l.*, in obedience, as he stated, to the wishes and feelings of the people of Manchester and Leeds themselves. And yet, in the teeth of these emphatic declarations, they were then called upon to pledge themselves to a 10*l.* qualification. This bill disfranchised a greater number of boroughs totally and partially than the



former one ; whereas, by extending the boundaries of now existing boroughs, there could be found at least as good a constituency as in many of the new boroughs ; and his objection was this—that these places were disfranchised, not because they were nomination boroughs, but in order to enfranchise other places, and in greater numbers than the last bill attempted to do. On the last occasion ministers had selected all the great manufacturing towns ; and certainly between October and December it was not possible that such a change could have taken place as would entitle a town in December to have two members which in October was only to have one ; and besides, the principle of spoliation was sanctioned, not only for the purpose of giving members to England, but also to give six to Scotland, and as many to Ireland. And in giving six members to Ireland, was it possible that, looking to the population of England and Ireland, six members were all they would give the latter in addition ?

The Earl of Haddington was the first of the “waverers” who assigned his reasons for having abandoned the course which he followed in regard to the former bill. He said that, on the former occasion, till within a few days before the debate, his mind had been made up that the bill should be read a second time ; not that it squared with his principles, but because he thought it expedient to have the question arranged by the interference of the House as soon as possible. He had abandoned these sentiments from a conviction that, in the existing state of feeling in the country, anything like an amendment of the bill in committee would be impracticable.

He had felt, likewise, the utmost indignation at the manner in which their lordships had been treated, and the threatening appeals which had been made to their personal fears. Of late he had seen nothing of this kind ; and perhaps those who might revert to it had found of how little avail any such course would be. It had also, at that period, appeared to him that the House were bound not at once to agree to and sanction the principle of a bill operating so vast a change in the existing state of things ; and that they ought to appeal to the good sense and deliberate feeling of the country. That had been done. He had heard of reaction over and over again ; would to God they had ever seen it. He had been one of those who did not believe in the unanimity of the country upon this question. He believed that the country was divided in opinion with respect to it, that many of the upper classes were decidedly opposed to it,—and he had thought that the rejection of the bill would give this class courage to speak their minds, and certainly they had done so. But if noble lords looked to the addresses of this description which had been sent up, they would see that, however much they might deplore the bill, there was not in them such a depreciation of the principle of reform as would form a safe and reasonable ground for refusing the second reading of the bill, and that too when it had been passed a second time by a large majority of the House of Commons. His own firm belief was, that all the sound and rational portion of society were heartily tired of the bill ; and that they wished a settlement of the question of reform ; but he also believed that they wished their lordshi to



amend the bill, and not to reject it; and that if they did now reject it, they would not act in conformity with the good wishes of the sensible and better classes of society to which that House had ever been particularly attentive. None of their lordships could be more opposed than himself to the disfranchisement of the nomination boroughs; but then did any noble lord really think that such boroughs could now be maintained? He agreed, likewise, in the mischievous effects which would follow, except perhaps in the smaller boroughs, from the 10*l*. qualification; but this was no part of the principle of the bill? In voting for the second reading, he pledged himself to no more than that there should be disfranchisement, enfranchisement, and an extended qualification; and, in committee he should feel himself at liberty to support every amendment which would go to limit the bill, and deprive it of its noxious qualities. Even in this way he did not entertain very sanguine views. He did not believe they would be able to replace the nomination boroughs so as to ensure a balance against the exercise of pure popular principle; but he did think that much could be done to secure the due weight of property. But did not noble lords see what must be the issue of rejecting the bill? The ultimate end of a rejection of the measure would only operate as a means to rivet the whole bill, or even a worse one, upon them,—one at least as strong, and carried by a revolutionary spirit throughout the country. He saw no possibility of escape from this dilemma, save by an attempt to alter and amend the bill in committee. If they could do this, they would deserve the gratitude of the

country: and if not, they could throw it out with a better grace on the third reading, and go with a better case for themselves before the country. England would then see that the charge was false that they did not sympathise with the country, and that they were ready to concede much, but not what would be injurious to the monarchy. To him it appeared that this great question must be settled by a compromise: and he could see no reason why any one of their lordships, who admitted that they now must have a reform embracing enfranchisement, disfranchisement, and an extension of the right of voting, could hesitate to come to a compromise of that kind.

Lord Gage, likewise, declared that he had changed his opinion, or, at least, would now act differently. The only ground, he said, on which the second reading could be resisted was, that a re-action had taken place in the public mind. Would to God that such had been the case! but he lamented to say that it had not. It was impossible to prevent the people from having a reform, and, by refusing to go into committee on this bill now, their lordships might deprive themselves of the opportunity of introducing such amendments as they wished into this bill.

On the other hand, the Earl of Wicklow, who considered the proposed measure principally as it would affect Ireland, thought that the reasons, which had led to the rejection of the bill of last session, were at least equally strong for rejecting the present. Earl Grey had stated, that the present bill was a considerable improvement on the bill of last session. Now those who, by their vote on that occasion, produced such good effects

by the rejection of the bill then, were called upon, by the prospect of effecting still greater good, and still further improvement, to vote for the rejection of the present measure. If he were driven to the alternative of selecting one of those two measures, for his part he would prefer the bill of last session. They had not heard a single argument to show that this measure would work well, or that it possessed any decided advantages over the system which they at present enjoyed. No proof was adduced from the history of this or of any other country to show that a system founded on such principles was conducive to the public weal. The main and principal argument, which the advocates of this measure brought forward in support of it, related to the evils which they prognosticated from its rejection,—civil war, general confusion, and a confiscation of all property. If such were the dangers to which they were exposed, it was the more incumbent on them to adhere strictly to that course which their conviction and their conscience had in the first instance determined them to adopt. But they were told that the people would have the bill. His Majesty's ministers told them so, because they were told so by their masters—the public press. But if it was the determination of those persons that such a measure as this should be carried, it was the duty of their lordships on the other hand to stem the popular torrent, and to calm the popular heat.—The marquis of Londonderry maintained that there were proofs of a re-action in the public mind. Elections were considered a tolerably fair criterion of the state of

the public mind, and where they had occurred since the rejection of the bill, they had afforded proof of a considerable change in the public opinion. Elections had since taken place at Cambridge, Carmarthen, Grimsby, Dublin, Liverpool, &c. The result was, that at three places reformers were returned, and at ten others anti-reformers. In Dorsetshire, all the influence of government, of the reforming press, and of the political unions, had been unable to prevent a reform candidate from being defeated by an opponent of the bill. He trusted there was no truth in the report which had gone abroad, that the prime minister had declared he held in his hands a power which would enable him to carry the bill. Nothing could be more unconstitutional. It must have been put forth with the flimsy hope that it would deter some of their lordships from doing their duty,—and flimsy were all the arguments which had been adduced in support of the measure that had been hinted at. If there had been a negotiation on the subject of this bill, let their lordships know what that negotiation was, with whom it was carried on, and the points which it embraced. If the minds of noble lords had been altered in private, let it be publicly made known on what grounds that alteration had been effected.

The earl of Shrewsbury, a catholic peer, who had been brought into the house by virtue of the duke of Wellington's emancipation act, distinguished himself, while he supported the bill, by the violence of the vituperation which he directed against the protestant bishops. He did not think, he said that the British constitution, which

had been so much lauded, worked at all miraculously in practice. Under its protection we had courted unjust and expensive wars; we had experienced civil strife, rebellion, and revolution; we had suffered under commercial embarrassments unknown to other nations, and were surrounded with a crowded population, poor, unemployed, starving in the midst of abundance. Notwithstanding its blessings, crime had multiplied upon us in atrocity no less than in quantity: the reins of government were consigned to profligate keeping; and they had seen governments supplying want of capacity by venality, and retaining, by the profuse distribution of treasury largesses, an army of occupation in both houses of parliament. The exasperated nation had at length risen, determined to be no longer oppressed, and here was the consequence, a bill which would establish independence in every branch of society, and annihilate the foul corruptions generated by a long dominant oligarchy. The rule of this oligarchy had cramped the energies of every order in the state, and checked the growth of liberty and intelligence. It had been carried on to the destruction of their lordships themselves, and the legislature had ceased to be the depository of power. Their unnatural estrangement from the great body of the community,—their contemptuous disregard of the interests of the country,—their absolute tyranny over the people of Ireland, had sown seeds, the bitter fruits of which they were now reaping. In all this they had found willing coadjutors in the bishops. If the clergy knew any

thing of their own interest, and it was generally supposed that they were not unskilled in matters of personal concern, they ought to be aware, that they were bound to be the first to come forward to do their duty by the country. Hitherto, they had too often shewn themselves the worst enemies of the people, the willing agents of the worst system of tyranny, the ready abettors of, and participators in, acts of extravagance, spoliation, and corruption: and now was the time for them to make some recompense to the people for long years of contumely and wrong. He thought, likewise, that those of their lordships who intended to vote for the second reading, with the view of attacking the bill in committee, would assume an attitude of more dignified hostility, by manfully standing to their opinions, and resisting it *in limine*, than by stooping to the subtle and desultory warfare which they were about to commence. The House must consent to see government carried on, in future, on very different principles. If it would not, there was no remedy but in filling the house with men of different notions. He would not mince matters. If the House of Commons needed reform, so did the House of Peers, to prevent the danger of continual collision, and secure that unity of action which was essential to the management of the affairs of a great nation.

The Earl of Mansfield said, that he had formerly objected to the principles of this measure; and, in the present bill these remained unaltered. Government even made it their boast that these principles had been preserved untouched. To the present bill, there-

fore, he must likewise object, nor could he see the propriety of reading the bill a second time in the hope of curing, by alterations in its details, the radical vice of its principles. To consent to the second reading would, in fact, be saying, that the constitution of parliament must be changed, leaving it to the committee to find a substitute by which it might be replaced. Now he did not think that there existed the necessity, which seemed to be assumed, for changing the representation, founded upon any injurious defects or anomalies in its present constitution. If the people entertained a decided opinion, that a change in the representation would materially add to their comfort, were their lordships not to be allowed to express a doubt as to the necessity of the proposed change? That change ought not to be effected, unless accompanied with reasonable hopes of real, and not speculative, advantages to be derived from it: and of these advantages their lordships must be judges, or otherwise for what purpose did they possess legislative functions? But the advocates of reform now took this ground, that they would not discuss the necessity of reform as arising from defects in the representation; it was enough that there was a necessity for the measure arising from the state of the public mind, which simply meant this: "we have excited and deluded the people, and have succeeded in placing the country, and your lordships, in a predicament from which you cannot be extricated except by consenting to a measure of which you cannot approve." He could not admit the force of this reasoning. It was the duty of the House to judge of the merits and tendency

of the bill, not without regard to the wishes of the people, but without regard to their opinions. There existed a strong feeling against the nomination boroughs, and no doubt the people would experience some gratification from the extension of the suffrage; but that which was generally hoped from the bill was, that the country would be relieved from taxes, either by a general diminution of imposts, or by the transfer of the taxes to that class of persons in which the majority of the people were not included. Their lordships all knew that it was a fallacy to expect any result of that nature; but at the same time, he must add, that greater pains were taken to expose this delusion on his side of the House than on the other. He had heard only three arguments for reform, which might be considered as addressed to thinking men. The first was, that it was necessary to render the House of Commons more democratic; the second was, to prevent representatives from being independent of electors; and the last was, to prevent ministers from being independent of the control of parliament. With respect to the first point, he thought that the House of Commons was, both in constitution and conduct, democratical enough. He had seen in the House of Commons a disposition to encroach on the functions of the other branch of the legislature, and to exercise an inquisitorial power which interfered with the rights of the executive power. What was called the democratic party was still gaining ground. To be sure, the persons composing it had not yet succeeded in persuading the House of Commons to confiscate the property of the church, and to pay the clergy like the army, and the

army as little as possible, and to reduce the King to the situation of the president of the United States. Under a reformed parliament, however, all this might be accomplished. He expressed a doubt upon the subject; but he begged their lordships to observe, that the most zealous reformers expressed none. It was, however, true, that at present the House of Commons exercised a most important power in the state: they had the power to control the King in the choice of his ministers, when they chose to exert it. With respect to the propriety of rendering the representatives less independent of the electors, it happened, at the last election, that numbers, who had been most attentive to the interests of their constituents, were rejected on account of their political conduct, whilst other persons, not more estimable, were preferred, because they gave pledges, and rendered themselves delegates. It was extraordinary that their lordships should be told that the House of Commons had passed the reform bill in compliance with the wishes of their constituents, whilst, at the same time, it was asserted that reform was necessary, because the sense of the people was not represented in parliament. With respect to the last of the reasons in favour of the necessity of reform, he stood in the presence of the existing ministers, and of the noble lords who had filled the highest offices in the state, and he would ask them, on either side, whether they ever found themselves independent of the control of parliament? He believed that those noble individuals must, on many occasions, have found the House of Commons interfere with some of their schemes for public improvement. If this were

an objection, it was certainly very patriotic for ministers to forge fetters for themselves, unless, indeed, they thought that their tenure of office was insecure, and therefore provided them for their successors. The present bill would, no doubt, render the House of Commons infinitely more democratic, but that was just the danger to be avoided. The voters whom it was to create, would ascribe all their subsequent distress to those restrictions, for the removal of which they clamoured, and candidates would be bound down by pledges to vote for their abolition. Was it not also worthy of consideration whether the bill, while it destroyed one set of close boroughs, would not create another, by diminishing the number of voters in certain towns, and that one of its effects would be to transfer parliamentary interest from the opponents to the supporters of ministers. Indeed it had been admitted that the rules of the bill had been departed from with respect to Whitehaven, in order to neutralize the influence of a tory peer in the neighbourhood. But it was asked, if their lordships rejected the bill, what would follow? Their lordships had only to examine the bill which had been submitted to their consideration, and, if they found it objectionable, to reject it. No apprehension of danger would justify their lordships in a dereliction of duty. That rejection ought not to be accompanied by any declaration of their lordships' adherence to a plan of moderate reform; to those words no definite idea was attached. Such declarations and pledges on the part of individuals were inconvenient, and when made by public assemblies, dangerous, because they were liable to misin-



terpretation. What, then, would follow from the unqualified rejection of the present bill? He attached little importance to those threats which had been so plentifully held out by the press, in language the most gross and libellous towards their lordships, and almost treasonable towards the crown. The privileges of their lordships had been menaced with destruction, and libels of the grossest description had been published against individuals, which, though brought under the notice of his Majesty's Attorney-General, had had the good fortune to escape his censure, except in those instances where his fiscal sensibility had been awakened by the evasion of the stamp duties. If the present bill was rejected, violence, perhaps, would be offered to individuals—disturbances might take place, and resistance might be opposed to the payment of taxes. He knew not to what excesses the folly and vices of men would lead them. In the metropolis acts of violence of an inferior description might be committed. There would probably be a great demolition of windows; for he did not think them better protected than they were last year, now that it was known that the proprietors could obtain no relief from the hundred. But these were trifles in comparison with insurrections breaking out in different parts of the country. His opinion, however, with respect to insurrections, whether occurring in this country or elsewhere, was this: that they never would have any permanent success, if the government did its duty. He did not deceive himself so far as to suppose, that the rejection of this bill would be a settlement of the question; but he was equally convinced, that the adoption of this

bill would not settle it. The dispute could not be brought to an end by a bill which would lead to endless disputes, and which, by the most arbitrary caprice, both created rights and destroyed them. If the present bill were rejected, he did hope that ministers would take advantage of the delay, and in another session, bring forward a more modified measure. But if any measure equally efficient (or, as he should say, equally unjust) should ever again be presented to their lordships, he trusted that they would never allow the rights of the meanest individual in the country, of which they were the guardians and the protectors, to be arbitrarily destroyed. If they did, they might depend on it that at no great distance of time their own rights would be the object of attack, and they would become the unpitied victims of that system of spoliation which they had previously sanctioned.

The Earl of Harrowby had been among the most distinguished opponents of the bill of last session. The speech, which he had delivered against the second reading, was by far the ablest oration that had been pronounced on either side of the question, in either house of parliament. The greater was the anxiety to learn the grounds on which he now intended to vote the other way—for he had already announced that he intended to support the second reading. He denied that the sentiments, which he had delivered in the former session, were those of a man determined to resist, under all circumstances whatever, the consideration of parliamentary reform. On the contrary, the thought or opinion, which more than another he was anxious to express, was, that they should



not treat the present bill, as they had treated the last; that, though they had then acted rightly in rejecting the bill, they would not be warranted to do so again; and that they could not hope again successfully to resist a measure which the House of Commons had sanctioned for a second time by a large majority, and in favour of which the people of England had expressed a decided opinion. It was for this reason that he had prepared a resolution, of which many noble lords were aware, as well as of the reasons which induced him not to bring it forward, by which the House would pledge itself, in the then next session, to take into serious consideration some plan for extending the franchise to his Majesty's subjects, and for correcting the abuses which had crept into the representative branch of the constitution. He had been on the point of moving this resolution, when he was persuaded by some noble friends, that to do so then would do more harm than good—that it would be better to wait till the excitement of the public mind had been somewhat allayed, before a more moderate measure of reform, than that brought forward by ministers, should be submitted to parliament. He yielded to the suggestion, hoping that the interval between the two sessions would afford the public and their lordships time to consider maturely the real merits of the question, and that the result would be, that both would see that the plan of ministers would, if adopted, prove injurious to all existing interests. In this his expectations had been disappointed. There had been time enough to allow a re-action to have manifested itself; but it could not be denied, notwithstanding all the

strong objections which had been urged against the bill, that no such re-action had taken place. The delay, however, had done much good;—not that the alterations made in the bill had rendered it unobjectionable, for many objections still remained which he should ever feel to be insurmountable, in so far as the principles of the bill were concerned. But the good produced by the delay consisted in the changes which had taken place in the minds both of the advocates and of the opponents of reform. When the bill was formerly under their consideration, there were, to all practical purposes, two parties in the state with respect to parliamentary reform—those who went the lengths of ministers, and those who objected to every measure implying extensive alterations in the existing system. Since that time the second party had disappeared, and the country was divided into those who insisted upon a sweeping measure, and those who were not repugnant to the passing of a moderate one. The temper of the two parties had experienced an equally extensive change—on the one hand, leading to a diminution of the dangers of rejecting the bill—on the other hand, seriously aggravating them. He repeated now what he had formerly stated, that there was danger in either rejecting or adopting the scheme of ministers—with this addition, that after the changes which had been effected in the bill, and after the important fact that its main principles had been twice adopted by the House of Commons with increased majorities, it would be safer to let the bill go into committee, than, as on the former occasion, refuse to consider it in its present form. It was not enough

for noble lords to point out the obvious dangers of passing the bill—and of their magnitude no man could be more sensible than he was—unless they at the same time were prepared to show that the opposite danger of rejecting it was of far less moment. And this task no noble lord had as yet ventured to perform. There were no petitions against all and any change in the representative system. The feeling of the country was undeniably in favour of some change, and it was the duty of their lordships to conciliate that feeling so far as was compatible with the true interests of the country. It was on this consideration he would vote for the second reading; hoping that in committee he should be able to effect such alterations in detail, as would in some degree obviate the objections which he still entertained against the principles of the bill. The question was now wholly one of degree regarding the kind and amount of change to be introduced, where all admitted that there must be some; and he did trust, from the tone in which the minister had spoken, as well as from the change in the temper of the times, that though they could not hope to deprive the bill of all its evil tendencies, they might suggest such alterations as would prevent much evil. Their lordships were right in refusing to be influenced by mere threatening clamour; but they must likewise take care not to confound a timely yielding to the force of circumstances which were above their control, with a cowardly shrinking to clamour. If they could not hope to obtain good government till the question of reform was settled, was it not their obvious duty—no matter how they might differ as to the particular

mode of reform—to assist in effecting that settlement as promptly and satisfactorily as possible? And if they also saw that nothing less than an extensive measure of reform would satisfy the public mind, were they not bound to forego their own predilections, and do the best to prevent the ill consequences of a too rapid and violent change? It would not do to say—“We know we are promoting the best and lasting interests of the reformers themselves, by stinting them in their demands;” for it was not enough that a government was intrinsically good, unless the people governed at the same time felt and acknowledged it to be so. There were many occasions, he admitted, when it would be better to defer the final settlement of a question, till the occasion, which had called it forth, had changed or passed away; but he would ask, was the present question of reform one which any delay could get rid of, or, what was more, any government prevent? The present state of the public mind, with reference to this bill, betokened a state of things which no honest man could contemplate without alarm, evincing, as it did, a want of that confidence on the part of the people in the institutions of the country, without which there could be no effectual and beneficial co-operation between the nation and the government. The people had no confidence, and, after the two records of its own condemnation, could have no confidence in the House of Commons. Had not the House of Commons, by large and increased majorities, declared that it was unworthy of the confidence of the people whom it professed to represent? And if so, was it for their lordships to

turn round and gainsay a decision thus solemnly pronounced and repeated? He still thought that ministers were much to blame in launching a measure of such sweeping change, which, being once launched, it was equally dangerous to reject or to adopt: he still thought the people of England were wrong as to their opinions of the benefits which they possibly could derive from that measure; and he thought the House of Commons still more wrong in twice adopting its provisions. He also retained his conviction that the day, on which the King on his throne had promulgated the plan of that measure, was a day fatal to its integrity—perhaps existence—a day only less fatal than that on which, for the second time, his Majesty was advised to call the attention of his parliament to the necessity of speedily adopting it. But though he held these opinions, he felt that the question stood now, unfortunately, on far other grounds. It was now not a question between this or that plan of reform, but one wholly of a choice of evils. If they rejected a second reading of the bill, would they not be provoking that evil to which the noble earl said, he would not have recourse but at the last resort. But let them proceed a step farther. Let them suppose the bill rejected, and that a new government had succeeded to that of the noble earl. Were the opponents of the present bill absurd enough to believe that they would gain any thing by that change—that was, that by a change of men they could get rid of the reform question altogether? He would tell them not to deceive themselves for one moment by such an absurd belief. Let his Majesty select whom he

might for his counsels, reform must constitute a condition of office, if those persons hoped to continue a single week in his service. He said a single week,—for even less would suffice for the present House of Commons to disabuse any minister who should be mad enough to assume the helm on the principles of anti-reform. But, perhaps, he would be told “the remedy was obvious—let his Majesty dissolve parliament, and so procure a House of Commons more amenable to his new counsellors.” He would ask where was the man bold enough—he would say mad enough—to make the trial? Apart from all the evil consequences of protracted suspense, and delay, and excitement, he would ask, was there the remotest chance of their obtaining a House of Commons less pledged to reform than the present? Was not the supposition a libel upon the people of England? Was it not certain, that the new House of Commons would insist upon a measure of far more extensive change than even the present objectionable measure? And was it not equally certain that their lordships’ means of resisting its adoption would be considerably lessened? He would, then, in this choice of evils, call upon them to adopt the less, and vote with him for the second reading, and to make very great amendments in it, compatible with the great principles enunciated in the preamble. There they would, no doubt, find that they would be obliged to let pass away great weight from property, landed, commercial, and manufacturing. But they should, on the other hand, take care to add to the weight of property in manufacturing towns, in such a way as not to upset the balance that ought

to be preserved. The influence that he was unwilling should have weight was that of the low constituency, which would be subject to democratic persuasion—to the dictation of agitators, and which would convert the members of the House of Commons into mere delegates. The question was, whether the mere will or the real interests of the people were to be consulted. Wherever there was a good government, the interests of the people always had the greatest weight; and his chief objection to the bill was, that it gave weight to the will, instead of the interests, of the people; and to correct that unhappy preponderance should their lordships' best endeavours be directed.

His lordship was followed by the duke of Wellington, who began with explaining his reasons for being unable to shift into the course which the earl of Harrowby, and those who thought with him, had adopted. The first ground which they had assigned for change of conduct was, that the bill had been sent up from the House of Commons a second time, and by an increasing majority. But in the month of March last year, before the dissolution, these noble lords themselves had foretold what would be the effect of a general election, viz. that it must produce a House of Commons composed, not of members, but of delegates, and that its result would be to place the House of Lords in the situation in which it actually had been placed last year, and now found itself again. It was known when they took their determination last year, that this would happen. They had been fairly told by the minister, that he would never consent to take a measure less

efficient, and they knew that the House of Commons would necessarily send back the same bill, or one equally efficient. All the arguments regarding the decisions of the House of Commons must come to the same end. There would, no doubt, be ten decisions of the same kind, if it were left to the same House, because the House was pledged and returned for the purpose. But the country was not to be abandoned on this account. He altogether denied that the difficulty now experienced was chronic; it was only temporary, and was to be removed by the government that had raised it. Ministers had found a parliament prepared to pass a measure of moderate reform; but instead of proposing such a measure, they had dissolved that parliament, and a new parliament was called under a degree of excitement in the public mind such as had never before been witnessed. The consequence was, that the excitement had continued ever since, and it had been kept up by the strong opinion put forward and entertained, that it was the King who wished for parliamentary reform in the manner proposed by this bill. He did not believe that it was so. His opinion was, that the King followed the advice of his servants; but it was the idea thus engendered which rendered it difficult that there should not be some reform.

Lord Harrowby's idea of reading the bill a second time, for the purpose of making great amendments on it in the committee, his grace considered to be a mere illusion. If that noble earl had found it so difficult to amend the bill last year, that he thought it safer to reject it, would not the difficulty be much greater now? Moreover, he did

not believe there was an instance of a change of any importance having been made in committee in that House. When a government bill had been read a second time, it was almost impossible to make any alteration. If this were the case generally, how would it be, when the alterations particularly wished went to the very foundation of the measure? What did these noble lords mean by hoping for alterations in committee, in the face of the minister's repeated declaration that he would admit of nothing that trenched on the principles of the bill, these principles comprehending the particular extent to which they were to be applied? Lord Harrowby dreaded the influence of a low constituency. But how could he help himself in committee, when the minister had expressly stated, that not only must the principle of extending the franchise be maintained, but that the extending of it to 10% was likewise a principle, and that the point at which the franchise should be fixed was in truth to be withdrawn from the consideration of the House. Those noble lords who had changed their course, spoke of compromise, while the minister told them he would not hear of compromise in any thing on which even they would set any value. Nay, those peers themselves had been trying to compromise for the last six months. If they had not succeeded in that time, what encouragement was there to him or others to follow their example? He, and those who thought with him, knew the evils of the bill, and that it would consign the country to evils which it could not survive with prosperity; and he would ask his noble friends, had they been able to advance one single step in their com-

promise from last October to the present day? If this were the case, he hoped that those who intended to act so would understand that there was no more chance of compromise on the present than on the last occasion; and that if they agreed to the second reading, they agreed to a bill with which the country could not be governed. The government were now decidedly responsible for that bill—they were responsible for the election of the House of Commons that had passed it—they were responsible for the excitement which had caused both these events, and they were moreover responsible for any evil consequences which might occur, if this House rejected it. But when noble lords changed their sentiments, and were followed by many who had voted against it last time, he begged them to understand that they would partake of a large portion of this responsibility, and that the country would look to them as responsible for what might occur.

His grace then took up the objections to the bill itself. He thought it bad, because it went to overturn the whole established system of representation—it destroyed for the mere pleasure of re-constructing—it totally revolutionized the representation of Scotland (for the English bill could not be considered apart from those for the other parts of the empire) and put an end to all the arrangements which, only three years ago, had been entered into for the final settlement of the catholic question. It put an end to that most invaluable principle of our existing constitution, the principle of prescription, which sanctioned the descent and secured the possession of all kinds of property in this



country. It went to destroy a number of boroughs—some holding by prescription—some by charter—and for no reason whatever, except that such was the will of the minister of the day. Nothing could be more arbitrary than the manner in which some boroughs were deprived of all their rights; and others of part of them, except the manner in which the franchise was conferred on some of the new boroughs. Instead, too, of the existing rights of voting in boroughs and cities, it was to establish one uniform right of voting, which must inevitably tend to democratize the country and parliament. In the larger towns this right of voting would amount to neither more nor less than universal suffrage. In fact, this bill would, in such places, extend the right of voting to mere lodgers,—to men who paid only 3*s.* 10*d.* a week, or 7*d.* a night, for their lodging. Such was the constituency they were to establish, if they should go into committee on this bill; for their lordships would not forget that the noble earl at the head of his Majesty's government took occasion to tell them in the course of his speech, that nothing must be done to destroy the efficiency of that part of the bill. They had been told that men possessing property in those boroughs must continue to have political influence in the elections there. It was true, that in some of those boroughs noblemen, possessing large properties in the neighbourhood of them, would possess still a great and paramount influence. In point of fact one of the consequences of this measure in that respect would be, that several of those places would be left in the hands of certain noblemen entirely,

so as greatly to increase beyond what it was at present, that influence which they possessed with respect to the formation of every government which could be carried on by the king of England. Was this restoring the rights of the people, and annihilating undue influence? But generally speaking in those towns it would be the demagogue and not the gentleman of property, who would possess influence over the elections, and he again would be the mere delegate of his constituents, not a representative to deliberate for the welfare of all interests and classes in the empire. This had already occurred in England, particularly in London and Southwark. Sir Robert Wilson had been obliged to retire from the representation of Southwark last summer, because he had happened to differ with his constituents; and a worthy alderman had, in a similar manner, been reprimanded by his constituents in the city of London for a similar offence. What, then, was to be expected hereafter, should the system of this bill be established? Let them for a moment compare the system this bill would establish with the system of representation which had so long existed, and under which this country had been raised to an unrivalled eminence of glory, and power, and prosperity. They had under the existing system the county representation, and the representation in cities and boroughs. The county representation consisted principally of freeholders, and the members for counties represented not only the lower classes, but the middle and higher orders. The representatives for the great maritime towns, and for the larger description of towns



in the interior of the country, represented likewise the lower and middle classes. The representatives for the potwalloping boroughs, for the scot and lot boroughs, and for the single borough of Preston, where he believed the franchise was vested in the inhabitants at large, represented the lowest orders of the people; and in that manner this borough representation represented all classes and descriptions of persons who had any thing to do with the business transacted in the House of Commons. Instead of that system under which this country had reached its present elevation, they were called upon to establish a system of elections which would be confined to one single class of the community; and as the county representation would be no check upon that class of persons, the voters in the counties being mostly of the same description, and as the united representation of Scotland and of Ireland would be no check upon them, such a system would lead at once to a complete democracy. Was there sound policy in so sudden and great a change? "There can be no doubt," continued his grace, "that there is a general desire in the country that some reform in parliament should be taken into consideration, to do away with abuses in the system of election of members of the House of Commons. Without inquiring into the cause, if the fact be as I have stated, I believe that no one will dispute that it is the duty of parliament to proceed gradually in making amendments in the representation. We should consider maturely every step that we take; we should not proceed all at once to do every thing, we should go on gradually and deliberately, and

thus, in process of time, we might arrive even at the measure which has been recommended by his Majesty's government. But that must be in process of time. After a considerable length of time had elapsed, and after we have maturely considered every step that we have taken,—it is only after we have done all this, that we can adopt a measure to the extent of that recommended by the noble earl."

Nor was it any answer to this to say, that trade and business were suffering in consequence of the question remaining unsettled. Were these consequences produced by the prospect of the bill being passed, or being lost? So soon as the bill was proposed, and the excitement which it occasioned arose, a great portion of expenditure ceased; men no longer laid out their money in great enterprizes; those who had previously lived to the full amount of their incomes, began to consider it their interest to contract their expenditure, to make provision for a period of trouble and difficulty. Hence the injurious consequences to trade and business. If they looked at the present situation of their neighbours the French, they would behold precisely similar effects following from precisely similar causes. Those consequences, to be sure, had proceeded to a greater extent there than with us, because the excitement had continued for a longer period, and because the delirium had been carried to a greater extent; but he was certain that if this bill should be now passed, we should soon witness here similar effects. The noble Secretary of State for the Home Department, had admitted, that he did not expect any relief to the

distresses of the country from this measure. It was an extraordinary thing for a minister, and especially for a Secretary of the Home Department, to say, that he was satisfied, that a measure of such immense consequence as this must be, would not tend to relieve any of the distresses of the country. Would it give them a cheap government? Look at what had taken place in France. During the last two years, France expended 50,000,000*l.* sterling beyond the amount of her expenditure under the government of Charles X. After every saving that could be made in the civil list, and in other departments, the French budget, in the course of two years, amounted to 50,000,000*l.* more than it did in the extravagant reign of the Bourbons. It was preposterous and absurd to describe that as a system of cheap government; and yet we were going to tread in its steps. While Charles X. was able to preserve the peace of Paris with an army of from 500 to 1,000 men, it had required, ever since the revolution of July 1830, 60,000 men, on an average, to preserve the tranquillity of the capital. What had happened at Bristol and Lyons showed the difference in power and efficiency between the existing governments of France and England. The calamity at Bristol was at once put an end to, as soon as an officer at the head of a military detachment was found to do his duty: whereas it required not less than 40,000 of the best troops in France, with the Minister of War and the Prince of the blood at their head, to quell in the same time the disturbances that had taken place at Lyons. If

their Lordships would consider well the consequences of those differences, and the circumstances themselves, they would then be able to judge, whether it was possible for them to expect to carry on the civil government of England as hitherto, under a system of government such as they were going to establish, if they should pass this bill.

Lord Wharncliffe, who had moved the amendment which threw out the former bill, had now adopted the course followed by the earl of Harrowby, and he explained and justified it on the same grounds—that the danger of rejecting the bill was greater than that of taking it into consideration—that, by going into committee, they might get rid of those parts of it against which a strong objection was felt, and, at all events, would be enabled more thoroughly to weigh its provisions. It was true, he had said on the former occasion, that ministers were bound to place the House in the same situation in which it was before the bringing in of the bill, and thus get rid of the consequences of that unhappy dissolution. But how could this now be done, considering what had passed during the last six months? Had not this question, after the dissolution of parliament, made such a stride, that it could not now be repressed? No effort could bring the country back to the situation in which it was placed prior to the last election. The Commons would pass many such bills, if their lordships refused to consider the present. They might retard for a time the progress of a reform measure, but they could not throw back the feeling which had called for it. The present bill had been twice carried by great majorities

in the House of Commons ; it was approved of by the crown, and it was backed by the people. When they saw this support given to the bill,—a support greater than ever they had seen on any former occasion,—did not that afford a sufficient reason why they should permit it to go into committee? If they adopted a different course, one of two things must be effected—either the ministry must retire, or the parliament be dissolved. In case of the latter event what would be the consequence? They would have by a new election a worse parliament. It was to avoid this that he called on their lordships, and every man who had not set his face against all reform, not to throw back upon the House of Commons a measure which had been thus sent up to their lordships; but to try whether they could not so improve it, as to make it agreeable to all parties. For his own part, he believed that the constitution of parliament was the best that ever was devised, or put together, for the purposes of legislation; but it was not sufficient that he should be satisfied of that fact; it was necessary that the people should be also satisfied of it. The refusal to consider the bill in committee, on account of its principle, appeared to him to be most impolitic. Was it right that they, as one body of the legislature should declare, that they could not, in committee, alter the provisions of a measure affecting the vital interests of the country? that they were a body, incapable of framing laws themselves, or of changing laws which came from the Commons, and possessing merely the power of assenting to, or dissenting from, such laws as the other House sent up? The

effect of rejecting the bill would be, to place all those who voted against the second reading of the bill in a perilous situation with the country. Though several of those who formerly voted against the measure stated, both at that time and immediately afterwards, that they were not opposed to all reform, still it could not be denied, that, in spite of those declarations, the result of their vote had been, to give rise to an impression, that they would not agree to any reform, or, at all events, to any effectual reform. The vote of October had placed their lordships in this situation—that the country looked upon them as masters or dictators, who would not give to the people that which, rightly or wrongly he would not say, they now claimed. He felt that that vote, though it pleased not the country, had yet been the means of increasing the respect of the people towards them, inasmuch as it showed them that their lordships acted from an independent feeling. The people were glad to see that their lordships asserted their right to maintain their own opinion on this subject, and that they would not allow themselves to be influenced by low and vulgar intimidation, or by that higher species of intimidation which had been so often alluded to. If it were true, as had been stated over and over again, that the minister had the power in his hands of carrying this measure, and that he had refrained from using it, such conduct reflected very great credit on the noble earl. If this measure were finally carried by a proceeding of that sort, that, in itself, he conceived, would constitute a revolution. If so violent a measure were to be taken, that House would

become an assembly hereafter to be despised. They had not now to apprehend any of that sort of violence which they before dreaded. A calm had come over the public mind,—a lull in the storm of passion had occurred; but this was the very reason why they should deal with the bill now before them differently from that of last year. They had no longer to encounter the cry of “the bill, the whole bill, and nothing but the bill;” and they had now an opportunity given them, which might never again return, of moderating this measure in some degree to their wishes. It was hopeless to think of getting rid of the question of reform altogether; but he knew no reason why the bill should not be considered in committee. He could not conceive why schedule A and schedule B might not be altered there.

The principles of the bill, his lordship continued, were to be sought, not in the clauses of the bill, but in its preamble. The first was, the disfranchisement of what were held to be, rightly or wrongly, nomination boroughs, which sent members to the House of Commons who were not dependent on any constituency. He lamented the loss of these boroughs as much as any man, and he doubted whether any scheme that could be devised would put the country in possession of so much useful service as these boroughs had afforded. But the word had gone forth against them. In future every member of the other House must depend on some description of constituency, and it was their lordships’ duty now to regulate that dependence so far as in them lay. The second principle was, the enfranchisement of large towns—and this was given

up on all hands as an undisputed point. These two principles being fixed, the third—an extension of the right of voting—necessarily followed. For if nomination boroughs were to be disfranchised, and large towns were to receive representatives, how was it possible that the members of a city, like Bath, for instance, should be elected exclusively by the members of its corporation? Another principle of the bill was, to diminish the expence of elections. He did not say, that the provisions of the bill for registration, &c. would effect that object; but the object itself was surely a desirable one. These were the principles of the bill, and why should the House not enter into the inquiry, how far they ought to be applied? It was said that, if they agreed to the second reading of this bill, they admitted the principle of it, and the word *principle* seemed absolutely to frighten their lordships. But, because he or any other noble lord might vote for the second reading, it could not be said, that they were bound to vote for the 10*l.* clause, or schedule A. They pledged themselves to no such thing. All they pledged themselves to was, to consider the 10*l.* clause and schedule A in the committee. He agreed that no man could vote for the second reading who was not willing to concede parliamentary reform of some kind or other; but they might agree to the second reading, and afterwards deal with the bill as they pleased.\*

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\* But his Lordship, and those who proceeded on the same views, forgot that the proceedings in the Commons had sufficiently shown, and Earl Grey himself had already declared, that any vote which raised, for instance, the qualification to 15*l.*, would be considered a

He thought some method might be found by which the evil of disfranchising boroughs might be obviated; and certain he was, that it was better to find a remedy for what he admitted was a great loss, than to endeavour to keep up that which had been so condemned by public opinion. If he could believe for one single moment that his vote against the second reading would put an end to this reform bill for ever, he would most cheerfully give that vote. But it was because he felt conscious that such could not be the effect of now throwing out this bill, that he should vote in favour of the second reading. To reject the bill, would only be to put off the question for a short time, at the end of which they would find themselves in even a more difficult situation than they occupied at present. When it was introduced, he was certain that a more moderate measure of reform would have satisfied the greater part of those who were anxious upon the subject, and, if proposed, would have carried the votes of many of those who were not favourable to reform at all. But the government, as he feared it did upon other occasions, mistook the noise and clamour of the country for its real sense. They did not, in his opinion, behave as statesmen ought to do; but endeavoured to outrun the feelings of the country, and, by granting more than was necessary, to stop demand. The

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rejection of the bill, to be followed by popular commotion, if he resigned, or by a creation of peers, if he remained in office. If Lord Wharncliffe, therefore, was ready to support such an amendment in committee, he was, in fact, prepared to reject the bill, and to encounter precisely the consequences which he presumed would follow, if the second reading were not agreed to.

effect of that course had, however, been to increase the demands of many who, if not so encouraged, would have been satisfied with even less. Upon ministers rested the responsibility of this bill. If it should prove hereafter to effect good, let them take the credit; but if all that was dreaded on that side of the House ensued, then let them take the blame, with the deep and bitter remorse which they could not but feel.

Lord Winchilsea and the Duke of Buckingham spoke strenuously against the bill. His grace, after alluding to the powerful speeches delivered last session by the earl of Harrowby, and the other peers, who had now joined his lordship in supporting the present motion, described them in the words of Collins, as having,

‘ Back recoiled, they knew not why,  
Even at the sounds themselves had made.’

“ They had voted against the last bill on account of its democratic tendency, and on that account the House threw it out. The minister then said, that he would bring in another bill equally efficient, and would not remain in office an hour, if he could not carry it. He has kept his word: he has presented a bill of equal efficiency; and the true question is, whether the consistency of this House is to be destroyed, in order that the consistency of the minister may be saved? These noble lords rejected the last bill because it was too democratical: was the present less so? They said to the House, if you will not believe Mr. Attwood as to the democratical tendency of this bill, whom will you believe? On the present occasion, we have Mr. Attwood and his Birmingham Union declaring, that this bill is



more democratical than the last, and will serve their purposes better. They now say, that the vote of last year placed us in a false position ; yet who was it but they who incited us to that vote, by asking us whether our debates were to be a mockery, and the House itself a mere chamber to register the orders of the Commons, and the clamours of the people? They called upon the House then to despise intimidation. I call upon them now to abide by their own words, or to explain why the House should now submit to intimidation? They had been trying the minister. Their character prevented the possibility of compromise in any questionable sense of the word ; but has there been no endeavour to soften down the bill, and has it succeeded in any one respect? Have they been able to take a single point from the democratical provisions of the bill? If they have not, how can they expect that opposition will be more successful in public committee, than they have been in private with the minister, when they were fondly solacing him with promises of support?" His grace then entered at some length into the leading provisions of the bill, showing the manner in which he conceived them to be founded in injustice, and to tend to mere restless democracy, without attaining any one substantial good ; and he concluded with animadverting in severe terms on the speech of the catholic earl of Shrewsbury. "That noble earl called for the bill, because the constitution, for which our ancestors shed their blood, was good for nothing, and had merely enabled us to ruin our commerce, and waste our treasures, in unjust and unnecessary wars. He told your

lordships that the country was governed by a vile and grasping oligarchy. which ought to be destroyed. He told you that this House, too, must be reformed. He denounced your reverend prelates as foremost in the work of rapine, as plunderers and spoliators—and it was on grounds like these, that a catholic nobleman demanded the co-operation of protestant bishops in support of this bill ! If we had treated that noble earl in the same way, would he have been where he now sits, to vituperate, in the face of the legislature, at once our constitution and the ministers of our religion? Whoever has been his counsellor, the advice which he has received was not such as ought to have been tendered to a British legislature, and a christian man. Let the lords spiritual and temporal bear in mind the terms on which their votes are solicited in support of this new constitution."

No members of the House of Peers had been exposed to greater odium and more public insult, on the rejection of the former bill, than the bishops ; and when men like the earl of Harrowby found, in the state of the question and the situation of the country, reasons which seemed to them to furnish a justification for changing their course, it was not to be expected that the churchmen would all continue to be less unbending. The bishops of Lincoln and Landaff announced their determination to take the bill into consideration by agreeing to the second reading, but without intending thereby to pledge themselves to adopt all its provisions. They lamented particularly the resolution which earl Grey had announced to allow no peer to lay his hand on the 10*l.* clause—a point which would be a low quali-



fication in large places, and a high qualification in small places, precisely the reverse of what prudence would recommend. But they thought that the time even for neutrality was now past. The leading politicians in both Houses were no longer prepared to resist all change; and the wisest and safest course seemed to be, to receive, with the intention, and in the hope, of improving it, a plan recommended, for the second time, by a large majority of the Commons, and, if not by the majority, at least by a formidable minority of their lordships.

On the other hand, Dr. Phillpots, the bishop of Exeter, announced his determination to give the bill his most strenuous opposition. They were told that its principle was contained in the preamble, which expressed the necessity of reforming abuses in the representation. Now he could not think it possible for any one, who only read the preamble, to imagine that the bill, by way of reforming abuses, went not only to the extinction of rights, but to spoliation and robbery. That which was in fact the principle of the bill was not at all expressed in its preamble, nor was it to be discovered from it. The principle of the bill was one of complete change—a change greater than had ever before been contemplated—a change, which, in his mind, amounted in a great degree to something like a revolution. They had the principle of this bill not only defined to them by the noble earl who had moved the second reading of it, but by the noble earl opposite (Harrowby), who had told them, that if they assented to the second reading of this bill, their doing so would amount to an acknowledge-

ment of its principle, which was, that some considerable reform was required in the Commons House of parliament. Though they had these high authorities for the statement that such was the principle of the bill, yet he could not forget that he had heard other principles attributed to this measure by that noble earl himself. Nothing was farther from his intention than to taunt his lordship with inconsistency. On such questions, involving considerations of so many different kinds, and which must appear to men in different lights, under different circumstances, and at different periods, a change of conduct should expose no man to such a charge; but, on the other hand, such considerations did not apply to the force of arguments or the nature of truths. However that noble earl might find it necessary to change his position, truth and reason stood still. His lordship had formerly said, “The principle and object of this bill is to make the constitution of this country far more democratic than it is at present;” and again: “We are opposed to this bill, because it is a change which must inevitably lead to other changes,”—thus expressly laying it down that the principle of the bill was a principle of change; and the noble earl went on to say, that should such a measure as this be passed, it would be impossible for the government of the country to be carried on in its present form. In every one of these sentiments he agreed; he took these descriptions of the principle of the bill to be true and correct, and, therefore, he must vote against it, for its principle he held to be revolutionary in the strictest sense of the word. He was well aware that ministers in-

dignantly denied the justice of such a charge, and he was glad to find them admit, that it was a grave charge to be brought against any government; but they conceived that nothing could be called revolutionary which did not amount either to a change of dynasty, or to some other great change, brought about, not by the regular powers of the constitution, but by individuals exercising some force unknown to the constitution. According to this, there had been no revolution in France until the year 1792, and until Louis XVI. had fled from Paris; for, up to that period, all the vast changes which had been effected had been brought about in the regular course of things, and under the authority of the regularly constituted powers of that country. Every portion of the French revolution up to June, 1792, every thing which before that period had been done in the way of destroying the ancient institutions of France, had been done under the forms of the constitution, and by the regularly constituted powers of the government of that country. Suppose, for instance, that the two Houses of parliament were so base as to pass a bill, to which the sovereign should give his assent, making the proclamation of the king equal to an act of parliament: would it be said, if such a thing as that should be done, that it would not amount to a revolution? and yet it would be a change accomplished under the regular forms of the constitution, and sanctioned by the constituted authorities of the state. They might suppose, also, a contrary case, that a sovereign, anxious to gratify the wishes of his subjects, should descend from his throne, and so change all the forms of the

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government as to establish a republic, or a monarchy which would be one only in name, with all the essentials of a real republic: that would be a change brought about by the recognised constitutional authorities of the land; and yet would any one say, that such a change would not amount to a complete revolution? Not long ago he might be inclined to consider such cases extreme ones; but he was far from thinking so now, after what they had heard so recently,—after they had heard within the last twenty-four hours, a noble baron intimate to them, that a measure had been in contemplation to drown the independent voice of that House, and to render it dependent upon the decision of the other branch of the legislature. If such a course as that had been adopted, he would not hesitate to say, and he was sure that most noble lords present would agree in the opinion, that it would amount to a revolution. He admitted, at once, that the democratic element was the most valuable of all the elements which composed our constitution; but it was a power which required to be restricted. Like that element in the physical world which it most resembled,—the element of fire—it was of the most genial and salutary description, provided always that it was confined and restrained by proper correctives and proper safeguards. In the existing constitution those safeguards and correctives existed—they were to be found in the nomination boroughs, which a deceased great man had described as “the shameful parts of the constitution,” but which, nevertheless, were necessary for preserving the soundness of that constitution. The bill before the House afforded

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no corrective to the democratic force in the place of those boroughs which it proposed to abolish.

With regard to the influence of peers in the other House of parliament, he denied it was exercised to the extent generally stated; maintained that it was no usurpation of the rights of parliament, or of the commonalty, because the nomination boroughs had been originally created in order that the influence given by them should be exercised by the great proprietors; and asked whether there had been no usurpation on the part of the commonalty and of the public on the influence of their lordships and on the rights of parliament. The publication of the proceedings of parliament, and of the debates of both Houses, was a usurpation upon the rights of parliament, which had been far greater in its results, and far more important in its operation, than any usurpation that had been charged upon their lordships, or upon any of the proprietors of nomination boroughs. So far from lamenting this change, he was of opinion that no more salutary and wholesome measure could have been adopted—no better or more complete reform of parliament could have been effected—no more admirable remedy could have been devised against any abuses which might exist in our legislative system—than that all that they said and did should be made known to the public. While the people possessed so large, so great, and so direct an influence over their representatives, there could be no doubt that every thing would be done by them to “keep their House in order.” But if, in addition to that great means of influence which the people already possessed over the parliament, those checks should

be removed which were to be found in the system of nomination boroughs, the result would be, that the public would exercise such an overwhelming influence, particularly over the other House of parliament, as to render it impossible to carry on any regular system of legislation.

The right reverend prelate then adverted to the proposed bill for Ireland, which he maintained must be considered as part and parcel of the present measure, and which could not be stopped, if the present bill were carried. The effect of that bill would be, to take the representation of Ireland from the protestant interest, and confer it on the Roman Catholic interest. There could be no greater, and more fearful change than this. It was only a portion of that system which, unfortunately, had been carried on too long, of truckling to the Catholics of Ireland. There seemed to be on every occasion of late a disposition to yield the most high and sacred considerations connected with that country to a temporal—nay, to a temporary—expediency. But such a course of proceeding did not even deserve the name of expediency. The thing was a mere huckstering of the religion of the country for the purpose of gaining the brief and worthless support of men whom no concession could gain over, who laughed at the bribes of ministers, and jeered at their most friendly offers—men who no longer wore even the mask of decent hypocrisy, but proclaimed aloud the approach of their triumphs, who boasted that the oath which they had taken not to use the power, which a too indulgent legislature had given them, “to weaken or disturb the Protestant government of

try," instead of being a bar, was the very key and picklock by which they would open an entrance into our citadel, and into the temple of our religion. The destruction of the Protestant church in Ireland was no longer a matter of speculation. Its approach had been openly, and by authority, proclaimed. The general election, they were told, would be at hand in November; and then the gigantic spirit of democracy was to rise in all its strength, and to crush the church of Ireland. He concluded with calling on their lordships to bear in mind, that if ever they should cease to be the most august assembly in the world, they would become the most degraded. If that degradation did arrive, it would not be produced by violence from without. It could never happen, unless they were false to their own interests—unless they were wanting in a proper feeling for themselves. If they were not deficient in a due regard to what was owing to themselves, they could not fall. If that House must descend from its "high and palmy state," the event would be brought about by dissensions within its own walls, by the folly, or the guilt, or the cowardice, of some of its own degenerate members. It had been ordained by a severe, but most righteous dispensation, that they to whom great interests were intrusted, if they were false to those interests, would draw down a full measure of retribution on their own heads. To the fidelity, the prudence, and the wisdom of their lordships, the keeping of the British constitution had been entrusted. Let them look well to the sacred charge; for assuredly, if it fell, not only would they fall along with it, but

they would be ground into dust beneath its ruins. \*

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\* The speech of the bishop of Exeter gave occasion to a very angry episode, founded on a somewhat uncommon occurrence. Public opinion had long been convinced that the Times newspaper, which had distinguished itself throughout all these discussions, by an outrageous and unreasoning fury of abuse, in behalf of the bill, was not altogether excluded from the confidential communications of ministers. The bishop of Exeter, in the course of his speech, when descanting on the tone and temper of the press, spoke of some articles in this journal as "breathing the inspiration of the Treasury." Lord Durham, son-in-law of the premier, assuming that he was the party pointed at, attacked, on the following evening, what he called the bishop's "gross and virulent invective—his malignant, calumnious, and false insinuations—his well known powers of pamphleteering slang." He stated likewise that it would be affectation in him to pretend not to know that he was the person aimed at, which seemed to show that the bishop was not solitary in his belief. The latter immediately declared that, though he had made no personal allusion to any one, he had no hesitation whatever to say, that the rumours which made Lord Durham the source of "the inspiration" he had spoken of, appeared to him not unlikely, and even, he would say, in some degree, true. And he would state his reasons. In the month of January there appeared in the Times what purported to be the contents of a letter written to the king by the duke of Buckingham. If this was authentic, the only question was, which of the two parties, the writer of the letter, or they, to whom it was forwarded by his Majesty, had furnished the information. On this the duke of Buckingham said: "In my capacity as a peer, I took the liberty of acting upon my constitutional right to address his Majesty on a matter of great public interest. The letter I transmitted in, I believe, the usual and constitutional form, to the King's secretary, by him to be laid before his Majesty. I gave no person a copy of that letter, indeed I only read its contents to three altogether, two of them members of my own family. I therefore was not the medium of com-

The marquis of Lansdowne argued in favour of the bill. He denied that he or the rest of his Majesty's ministers were introducing new doctrines. All they asked was, to examine how far new circumstances required the application of old doctrines. They wished to go back to the elements of the constitution. There was nothing contrary to the principles of that constitution in extending the right of voting to those places which had become the depositories of that knowledge, and the possessors of that influence on society which the wisdom and policy of this government had always endeavoured to attach to itself; or in disfranchising small and insignificant places, and enfranchising others of great and growing extent and importance. The primary elements of the constitution of England were to be traced to one basis, that of securing, by

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munication with the Times; and I have only to add, that the extracts from that letter which appeared in that journal, were copied verbatim." Earl Grey said, that the letter had been transmitted to him by the king, adding "No person could be more astonished than I was, when I saw an extract from the letter, in the Times newspaper. I declare on my honour as a peer, that I never gave a copy of it to any person, nor did I communicate its contents to any persons save my colleagues, to whom I felt it my duty to make the communication: and I will take it upon me to say, that they, no more than myself, have communicated any passage or extract to any newspaper whatever, or to any person whatever not officially connected with the subject matter." It afterwards turned out that the Times had not given it formally as a quotation, but as stating its contents. It must however have been as like a quotation as any thing without inverted commas could be, since it struck lord Grey himself as "an extract from the letter.

every proper means, the happiness and security of the country: and this was to be done only by making such alterations in the system, from time to time, as circumstances rendered necessary. It had been objected, that the proposed measure would exclude the colonies, while their importance rather required that they should be more completely represented. No doubt it was in some degree desirable that the colonies should be represented, and he should be prepared to concur in a measure having that object in view, had not nature opposed obstacles to such a plan, which made it perfectly impracticable. But it appeared to him perfectly obvious, since they could not give them direct representation, that the next best thing they could do for the colonies,—the next best chance they could give them of having something like an imperfect representation—was to give representation to those places which were particularly connected with the colonies; and such places they found in the out-ports, which either already sent members, or were to send members to parliament under the bill before the House. The colonies would always have that influence in those out-ports, which community of interest naturally created between a consumer and a producer. The representatives of those places would feel it their interest to attend to the welfare of the colonies, upon the continuance of whose prosperity must of course depend the continuance of the prosperity of the ports which traded with them. The bill, too, was said to be a violation of the constitution, inasmuch as it was founded on a spoliation of prescriptive rights. But what was



this prescription? The value of a right by prescription depended upon acquiescence in that prescription. That was to say, acquiescence made prescription, as it had been justly observed, that obedience made the law. With respect to private property, there was no doubt that prescription was as good a title as any other, for it was no man's interest to question such a title, because he could not thereby appropriate such property to himself. But when prescription applied to a trust created for the benefit of others, and those for whose benefit it was created questioned the propriety of the prescription, and conceived that the trust was misplaced, the title by prescription lost its force and value. As to the apprehensions entertained, that the new constituency were likely to be governed in their choice of representatives by factious or revolutionary motives, and, above all, by any thing like a desire to disturb the tranquillity of the country, they were groundless. Except in moments of great excitement, which would occasionally prevail in all countries, the class of persons on whom the franchise was now to be conferred always felt themselves flattered on being consulted by their superiors, and were disposed, in the end, to rely on their judgment. He believed that their choice would be governed by a desire to elect such persons as would advocate measures contributing to the public tranquillity; for, having acquired their property by their own industry, they had as deep a stake in the country as any noble baron who derived a splendid fortune from the talents and services of his progenitors. Their small fortunes were as great objects

to them, if not greater, than was the ample income of any of their lordships. Their lordships might convey away their land, they might go to another country, they might guard themselves in many ways against the evils of a revolution; but to the professional man who depended upon the peaceable exertions of his talents,—to the mechanic, who depended upon his weekly wages,—to the annuitant and small proprietor, who depended upon their half-yearly and quarterly incomes,—revolution, or even agitation, brought greater ruin than could come upon their lordships even by the confiscation of their estates. All that this bill did was, even in the towns selected for new representation, to give the franchise to about one-third of the householders. A bill, then, had been sent up to them, resting upon that limited extension of the suffrage along with the principles of disfranchisement and enfranchisement. It was upon these principles that any thing, which pretended to be an effectual plan of reform, must be founded. If they were now obliged to go to a greater extent than might formerly have been necessary, it was because the noble lords had stifled in the germ every attempt at reform, till at last the King, the Commons, and the people, now cried aloud for a measure which former members had not known, like wise statesmen, how to guard against.

Lord Wynford thought that those who were prepared to vote for the second reading, in the hope of amending, in committee, defects of a bill which they admitted to be so monstrous as to require its rejection on the third reading if it was not amended, were acting a very foolish and dangerous part,



He knew that they might beat the government on different clauses; but he likewise knew, that what was done in the committee might be undone on bringing up the report. The mischief perpetrated by agreeing to the second reading never could be repaired. They had been threatened with a creation of peers. The House would recollect that, when earl Grey was asked whether new peers were to be made or not, no answer was returned, and, in the lower House, a cabinet minister had argued in favour of such a proceeding. If so, where would they be, on the bringing up of the report, notwithstanding all they might accomplish in committee.

The proposition that the bill was founded on principles familiar to the constitution, his lordship expressly denied. Never, since the days of Alfred, had England witnessed such a constituency as would now be created. He was aware that the book which had been quoted by earl Grey set forth, that the right of voting was not in freeholders solely, but in freeholders and householders, certainly not in any thing like 10 $\frac{1}{2}$  householders, nor in householders alone, but in connection with freeholders. Now, by this bill freeholders were abolished, and householders at 10 $\frac{1}{2}$  were substituted in their place. His lordship then cited various legal authorities, to show that householders had never possessed a common law right of voting. To talk of their being possessed of it was absurd. Sovereigns, had, at different times, conferred the right of voting on such persons of the various classes of the community as they had deemed worthy of it, and in the end these had formed the constituency. To deprive the

existing voters of their rights, would be to destroy the most valuable interests. A man was entitled to purchase an advowson. That possession was a trust affecting the public as much as the right of voting; but a bill to take it from him, would be a law to strip him of his property against the law. On what plea of justice did they withdraw the electoral right from "inconsiderable" boroughs, especially when they took it on themselves to determine what places were inconsiderable? They had called places inconsiderable which had three hundred voters, and which would have an hundred voters even under the bill. Why had they not united such places, so as to reach the electoral standard? He did not object to a measure of disfranchisement, but he objected to the disfranchisement of places which exercised their privilege not less purely, aye, more purely than did the large and populous towns. He further maintained that the bill took the franchise from persons who had property and gave it to those who had none, and would place the landed interest at the mercy of its enemies. What chance would there be for it, if even all the county members were ranged on its side? But the division of the counties and the new leasehold and copyhold votes, would prevent even that. Thus, in the county of Warwick, Coventry, which was ten miles from Warwick, was to be thrown into one division with it; to which if they added Birmingham, it would appear that, in the southern division of Warwickshire, the agricultural interest would be outnumbered tenfold. In the county of Somerset, the rural voters would be overpowered in the division

which contained Bath and Frome; and in Kent, what would become of them in the western division, comprehending Greenwich, Woolwich, Dartford, and Rochester? It had been argued, indeed, that the interests of commerce and manufactures were identified with those of agriculture; and he agreed that the manufacturing class contained many enlightened individuals who knew that on the prosperity of the landed interests their own depended. But these persons would not compose the majority of voters in towns. The ten pounders looked for nothing but cheap bread. In order to obtain that, they would ruin the agricultural interest, without considering that they were thereby losing their best customers.

Lord Durham went into various historical deductions to show the public mischiefs which had originated from the present system, the right of the people to enjoy more extended privileges, and the folly and danger of attempting to resist the public opinion which demanded them. Till the revolution, the object of all political struggles had been to prevent the sovereign from becoming despotic. The contest was carried on between the crown and the higher classes. The people did not interfere or demand political privileges, because they felt themselves, from want of education, incompetent to exercise them. But they had long ago reached a very different point in skill, talent, and political intelligence. The middle classes were as competent, if not more so, for the discharge of political duties, as the higher orders of the state. All the scientific institutions, the literary societies, the associations tending to the advancement of arts and letters,

were supported by the middle classes. The gentry, living apart in the country, followed the amusements and enjoyments of their class, leaving to the inhabitants of towns to be the supporters and patrons of the liberal arts; and when any political matter brought the gentry and the inhabitants of the towns together, the superiority of the former was no longer manifest. The middle classes had thus become entitled to a share in the government, because they were fitted to exercise it; and they were the more resolved upon attaining it in consequence of the misgovernment to which their exclusion had led. It had burdened the nation with an enormous debt; had increased extravagantly the annual expenditure; it had augmented the poor-rates sevenfold; it had lavished our wealth in unnecessary wars, and in subsidizing foreign princes. They now demanded to be admitted to a share in parliamentary representation, and concession alone was the path of safety. All history taught, that ill-judged resistance to public opinion invariably led to disaffection and resistance on the part of the people—next to a bloody struggle—and finally to unlimited compliance. What means were there now of resisting popular opinion? If their lordships, by rejecting the bill, pronounced a sentence of national excommunication, were they prepared to contend with an indignant people?

After the Earl of Carnarvon and Viscount Goderich had spoken, the former against the motion, and the latter in its favour, Lord Eldon addressed the House in opposition to the bill. No man, he said, was, or could be, an enemy to reform; but the first duty of every peer was, to

consider whether what was proposed was, or was not reform—whether it was a measure which the people ought to expect, and which would confer any additional happiness on those for whose benefit it was intended. They were bound, as legislators, to attend to the interests of the humblest, as well as of the highest, classes of their fellow subjects; but the mere assertion, that a proposed measure would benefit these classes was no proof that it would do so. For forty years he had opposed all plans of reform, because he had seen no plan which, in his opinion, would improve the condition of the people: and this last was one so vicious in its principles and details, that it would be impossible to carry it into effect with any safety to the institutions of the country. They were told that the principle of the bill was to be found in its preamble. The last bill they had rejected on account of its vicious principle. But let them look at the preamble of the present bill, and they would find it word for word the same as the last. What hope had they, then, that by going to a committee they could correct that vicious principle, when one of the first clauses of the bill embodied one of the great principles on which it depended. Another consideration was this, and perhaps in submitting it he should be told that he held—what he detested—radical doctrines. He would assert, that the House of Commons was elected by a constituency—that constituency now so much blamed and calumniated; yet all the laws from the accession of William III. to the present time were passed by Commons chosen by that constituency. Now if that were to be set aside as unfit to choose a House of Commons, what,

he would ask, was the condition of the sovereignty of this country, and of all the great interests which had been affected by measures sanctioned by that House? If that constituency was now to be changed, what security were they to have for the continuance of those guarantees of persons and property, on which they had hitherto relied with so much confidence? When he came to look at the possible and probable effect of that change on the sovereignty—on the throne of the country—he owned he could not contemplate it without feelings of fear and dismay. He was not one of those who could think with any kind of satisfaction on the effect of a system which might send the sovereign of the country abroad to provide for himself for a while as a teacher of music, in order afterwards to import him back as a citizen king. What would their lordships say now, if they had allowed the last bill to become the law of the land? Why, the effect would have been that they would have disfranchised some towns which it was now intended should continue to return members, and exclude from the franchise places which were now included; yet the same kind of arguments were used for going into the committee on that occasion as at present. They were then told that it would be a final settlement of the question. It was a gross fallacy to state that the former bill would have been, or that the present bill would be a final settlement of the question of reform or change. He had heard much of an exercise of the royal prerogative, by which the passing of this bill was to be secured. He did not deny the right of the Sovereign to the free exercise of that prerogative. He would admit that

at the next Recorder's report of persons condemned at the Old Bailey, the sovereign possessed not only the right to grant a free pardon to any number of such convicts, but to make peers of them if he pleased. At the same time no censure would be too severe, no punishment too great, for any minister who should advise his Sovereign to destroy the independence of the House of Lords by such an enormous creation of new peers. What caused the revolution of 1688, which hurled James II. and the whole race of Stuarts from the throne of this country? Was it not the power which he claimed of dispensing with the laws, and of setting his own will above the will of his two Houses of parliament? Now, if the crown were to exercise its power of creating peers to carry into execution an act of parliament which that House deemed unfit to be carried into execution, would it not be a stretch of the prerogative in legislation quite as dangerous as the dispensing power of James II.? His lordship farther contended, that the House had no more right to take away the elective franchise from the present holders of it, than they had to deprive them of the house or land which conferred it. The elective franchise was a vested right, which could not be forfeited without some proof of delinquency. This interest in boroughs was a species of property, which had been known in England for centuries; it had been over and over again made the subject of purchase and sale in all parts of the kingdom; and parliament might as well extinguish the right of private individuals to their advowsons as their right to exercise the privileges which they derived from the possession of bur-

gage tenures. In Scotland, when the heritable jurisdictions were destroyed, the greatest caution was observed by the legislature, that those who then held them should not be damnified in property; and in Ireland, when the union was passed, and the number of Irish boroughs was diminished, a liberal compensation was granted to those who were then in possession of them. If the principle which was adopted in those two countries, at those two periods, were adopted on the present occasion, then would the holders of Scotch and Irish boroughs, which these bills disfranchised, be entitled to receive compensation also. If any Irish nobleman, who had received compensation for the destruction of his Irish borough, voted for the present bill, he was bound, as an honest man, to return back to the Treasury the money which he had received some thirty years ago as compensation for his loss. Be the consequences what they might, he was determined not to participate in the injustice perpetrated by this bill—to have no share in tampering with the constitution. The name of the King had been shamefully and unconstitutionally used. The sovereign was constitutionally advised to recommend the consideration of this measure to his parliament; but he was not constitutionally advised when he was brought forward almost personally to say, that he was determined to have it carried into law.

Lord Tenterden likewise declared his continued hostility to the bill. If the question were, whether the House should or should not resolve itself into a committee to consider whether it was fitting to make any alteration in the constitution of the House of Commons,

or if the question were, whether a bill, containing a safe and moderate plan of reform, should be taken into consideration, he would have had no objection in either of these cases to have voted for the affirmative proposition. But the question now was, whether they should go farther with the consideration of this specific bill—a bill which he had no hesitation in saying ought on no account to be permitted to pass into a law. The bill evinced a settled disregard to all existing rights. In the disfranchising clauses, it went far beyond any thing which could be done with safety; and in the enfranchising clauses, it went equally far beyond any thing which the state of the country required; for it extended the elective franchise not merely to the great populous towns which had recently risen into opulence, but also to the villages and hamlets which had sprung up around them. Moreover, it placed the elective franchise, if not entirely, at least in a preponderating degree, in the hands of one class. If that class had been a class of men well educated and well informed, he should have felt great reluctance to placing the elective franchise so entirely in their hands; but it was notorious that this class did not consist of such persons as he had just described. The power of returning a majority of the House of Commons was given to persons far below the middle class of society. He could never consent to go into committee upon this bill, because, if he were in the committee, he should feel himself compelled by a sense of duty to move that every word of the bill, after the word “that,” be erased from it. He saw no hope of modifying it in such a manner

as would entitle it to his approbation: he saw no disposition on the part of ministers to concede any part of the principles of the bill. He admitted that the expressed wishes of the people deserved consideration; but, at the same time, it was the duty of their lordships to consider whether the fulfilment of their wishes might not be pernicious to themselves, and if they were convinced that it would, it was their duty to prevent the realization of their hopes. He admitted also that the opinion of a majority of the House of Commons was entitled to respect from their lordships; but it ought to have no other influence over their judgments, and certainly ought not to induce them blindly to pass a bill, of which they could discover neither the merits nor the necessity. It had been said, that calamitous consequences would follow the rejection of this bill by their lordships. He believed that this would turn out a false prediction; for he never had despaired, nor would he despair now, of the good sense of the people of England. Give them but time for reflection, and he was sure that they would act, not only wisely, but justly. Of late they had been excited by the schemes of ministers, by the arts of agitators, by the inflammatory productions of the public press. But give them time to cool, and he had no doubt that they would be able to distinguish between their true and their pretended friends. There was a general feeling now abroad among the people, that they had of late been following blind guides; and a very great majority of the nation was ready to enter into and to adopt any measure of moderate and temperate reform: but the present measure left nothing un-



touched in the existing state of the elective franchise. It introduced a complete alteration in all its departments. It went, at the same time, to vest all the power of the state in the other House of parliament; and, were it passed into a law, there would be nothing left for this House but to obey the dictation of the Commons. "Never shall I enter the doors of this House, after it has become the phantom of its departed greatness."

The bishops of Rochester and Gloucester expressed their determination to vote against the present bill, as they had voted against the former; for they could find in it no alterations to justify a change of opinion. It was admitted that all its principles remained the same; and it was exactly to its principles that insurmountable objections lay. The bishop of Gloucester, adverting to the ferocious and most imprudent attack made on the ecclesiastical bench by the catholic earl of Shrewsbury, said, "he has invited us to vote for the bill, because it will conduce to our own interest, adding that the clergy were specially noted for an attention to their own interests. If he meant, as I suppose he did, our regard to our own private and personal interest, I reject the imputation with unutterable scorn. If he meant our regard for the interests of the church, then the clergy had, on this question, no interest distinct from the general weal. The noble earl stated, too, and stated as an explanation, that he did not condemn the bishops as religionists, but only impeached them for most profligate conduct in this House. He does not bring any controversial charge against us, but only a moral one—a charge

not of heresy, but simply of profligacy; and this he called an explanation and mitigation. It was wisely done, therefore, to tender no explanation of his other charges,—that the bishops had been at all times abettors of tyranny and oppression, the willing instruments of rapine and extortion. These charges must be either true or false. I therefore call upon that noble earl, in the face of this House, and of the country, either to abandon them or to make them good. If he refuses to accept one of these alternatives, his long line of ancestry cannot protect him from the disgrace of such a course of proceeding. The schemes of oppression of James II. our last tyrant, no doubt had abettors. Who they were I shall not say, but they were not, at all events, *Protestant* bishops. The first resistance to that tyrant was among the clergy of the church of England, who opposed his oppressive system at the risk of life and liberty. Though I wish not to detract from the glory of the ancestors of noble lords in this House, who joined in the expulsion of the tyrant, yet I can appeal to history in proof of the fact, that, but for the resistance of the Protestant clergy throughout the country, the efforts of these distinguished persons might have failed, and the House of Brunswick, to which we owe our liberties, and which is politically so dear to us, might have moved but little beyond a German principality."

The Lord Chancellor, after referring to the petitions which had been addressed to the House, the resolutions adopted at public meetings of merchants and bankers, and the composition of the majorities and minorities in the House



of Commons to shew, that the opinion of property, as well as of numbers, was in favour of the measure, and that the feeling of the people in behalf of it, had in no degree subsided, met the objection that it was government who had produced and fostered an unnatural excitement, by holding out an enormous bribe, in the shape of political power, and that, instead of moderating the public mind, stirred up the French revolution of 1830, they had fanned the flame for their own purposes. Ministers, he said, had done no more than redeem the pledges on which they had taken office; and to these pledges they were bound, not more by their own long-entertained opinions, than by the state in which they already found the public mind, and to which the opponents of reform had brought it. At the general election in 1830, a pledge in favour of reform was required by constituents of the candidates. These pledges were exacted, and many of the elections were over, or at least the choice of candidates was made, before the news of the French revolution reached England. There was no one place to which a candidate could go, where he was not sure to meet the question of reform. At that election great changes took place, though certainly not so great as at the subsequent election in 1831; and these changes were generally, if not universally, made in favour of reformers to the exclusion of anti-reformers. Ministers brought the question forward, when the people were not only ripe for it, but were actually beseeching the government to take it up—when the people were fit for it to a degree they never were before, and when the feelings on the subject were more in-

tense and more universal than on any former occasion. On the merits, and the probable consequences of the bill itself, he could not conceive how any man could consider it as depriving property of its due weight, who recollected that the county representation was left almost untouched. All the county members were to be chosen by freeholders of the same qualifications as at present; and moreover, copyholders, leaseholders, and even tenants at will were to possess elective franchise. Besides this, no fewer than fifty-seven additional members were given to the counties; and the voters in towns, who had hitherto possessed a vote for the county, were to be excluded. All these regulations went, in his opinion, to increase the influence of property, and particularly of the landed interest. The 10*l.* qualification, too, was viewed with much alarm; and it was said that the 10*l.* voters, meaning thereby all who rented or owned tenements between 10*l.* and 20*l.*, would be much more numerous than those above them. This he conceived to be a great mistake. He did not believe that these voters would be found, in any instance, so numerous as to overpower those above them. In Warwick, for example, the number of voters at 10*l.* and upwards was 300, and of 20*l.* voters and upwards 215; but among the first class were to be considered not only the owners of 10*l.* houses, but the owners of houses varying from that value up to 20*l.* Besides, the owner of a 10*l.* house, even in great towns, was not a mere labourer, who, earning only 10*s.*, 12*s.*, or 14*s.* a week, could not afford to give 3*s.* 10*d.* out of his wages for the rent of a house, but a person

of some respectability, a reputable shopkeeper, tradesman, or overseer of some extensive manufactory. It was the interest of all those persons, poorer or richer, that there should be good government in the country—that right representatives should be chosen—that men should be sent to Parliament who would watch over the institutions of the country—and it was the interest in the long run of even the humblest of these classes that the peace of the country and the prosperity and stability of all its institutions should be carefully and vigilantly maintained. He would not enter into any enquiry, whether rich men had a greater interest than the poor in averting a convulsion of the state. It was sufficient for him that the poor man would lose his all by violent revolution; he would be the first to suffer from the ruin of trade, and the want of employment. If any set of men should be frantic enough to dream of unsettling the established institutions of the country, and of introducing confusion into the empire, the humble classes would be the first to suffer, and that too most severely. But even if there should be a set of men bent on dangerous designs—men whom their lordships might if they chose term the populace—who had no stake in the country—this measure would give to a class of persons, who were in the habit of constant communication with these individuals, and who possessed influence over them, a voice in the election of representatives, and thereby make it their interest to gain over those who were discontented with the system. Their lordships had been told to look at France, since her late revolution, and mark the enormous increase in

expenditure under her reformed government. If it was intended to infer from this that to render parliament a more complete and responsible representation of the people, would tend to encourage a lavish expenditure of the public money, he could not imagine any proposition more utterly monstrous. The budget of the French popular chamber of deputies exceeded in amount the average charge under the despotic branch of the House of Bourbon, simply because, in consequence of a new dynasty and a disputed succession, and because the germs of a civil war were hourly disclosing themselves in France, and because the aspect of Europe in respect of that country was by no means calculated to prevent her preparing herself for the worst, a great standing army, and, as a consequence, a large expenditure, was required. Many changes and benefits, indeed, were expected from reform; but if there was one result which more than another could confidently be accounted upon, it was this,—that in a reformed parliament no minister could long indulge in schemes leading to an extravagant expenditure of the public money. No government would think of managing public affairs through the mere agency of patronage. A reformed parliament, he was sure, would not deprive the executive of that official patronage which was essential to its efficiency: and he was equally sure that it would not admit of the smallest amount of patronage which tended to screen the minister from responsibility. On the delicate considerations involved in the consequences of rejecting the bill he would not enter, though much had been already said. But if there was any one

feeling more than another which he would carefully guard against,—any one enemy which he considered more fatal than another to the security of all establishments in church and state, that feeling was an alienation on the part of the middle and lower classes from those above them in wealth, in station—in fact, any thing which would tend to increase the distance which separated the higher orders from the body and bulk of the people. Their lordships had now an opportunity, not only to regain any ground they might have lost by the unfortunate decision of last session, but to raise themselves infinitely higher than ever in respect of the people of England. “Do not flatter yourselves that their interest in this measure has subsided. It has stood the test of disappointment, and of long delay; but it is as strong and as intense as ever; and you may rely on it, that from one end of this land to the other, the people,—the intelligent, the thinking, the rational, the honest people, and that, too, not merely of this metropolis, but of every town, village, and hamlet in England, and, if possible, still more in Scotland—hang with breathless suspense upon your decision this night.”

Lord Lyndhurst stated, that he had not as yet heard or seen any thing to convince him, that he had acted erroneously in voting against the principles of the former bill, or would be now acting rightly in voting for those of the present bill, which were declared and admitted to be the same. Knowing, too, from the declaration of the noble earl opposite that it would be vain to expect to correct them in committee, he should vote against the second reading of the bill. Details were

matters that might be corrected, and even if errors were committed with regard to them, those errors could be repaired at some future period: but it was not so with the principles of the bill: if they should be once carried, the evil could never be remedied, *vestigia nulla retrorsum*. If their lordships once took that fatal step, it could never again be retraced. That the bill had been called for by the country, and that no considerable party was against it, were both of them propositions which he must deny. In the year 1828, or 1829, the whig member for Cheshire declared that that ill-omened and obsolete measure of parliamentary reform had been entirely forgotten by the people. The noble lord, too, who conducted this bill through the House of Commons, acknowledged distinctly that reform had been forgotten by the people, but added in a triumphant tone, “We appealed to the people on the subject, and they immediately responded to our call.” Would it be said after that, that the present government had not awakened and called into life the feelings of the people on this question. With the exception of what the Lord Chancellor had described to them as having taken place in his own canvass in Yorkshire, in 1830, at none of the elections then going on was there any cry about reform; the only cry was about the slave trade. But the moment the result of the insurrection in Paris became known, the cry of parliamentary reform superseded the cry of the slave trade, and every other cry, and spread throughout the country with rapidity and enthusiasm. Government was alone responsible for the extraordinary and unexpected

measure which they had produced, —a measure which was hailed at once by the party of the movement, supported by the press, and advocated by the political unions. As to its opponents, the result of all his observations had been, that their former decision had been approved of, and supported by a great proportion of the wealth, the intelligence, the station, and character, in the country. If any peer had expected that the virulence of the press would have been modified, or that the political unions would have been converted, he entertained extravagant hopes which never could have been realised. He would appeal to the numerous addresses which had been presented on the subject, and which so much pains had been taken to conceal from public observation, as a proof of their lordships' decision having met with the approval of a considerable part of the country. He also instanced the large amount of the minority against the bill in the present House of Commons, to show that there was a strong party in the country against the measure. Far be it from him to say that many persons of influence and station, and authority, did not support the measure. But this he would assert, that the great majority of the individuals who composed these classes were decidedly hostile to the measure. How, then, were they to account for the numbers by which the bill was supported? In the first place it was supported by the whole Whig party. Not that they all approved of the measure, for many of them spoke against it in private, who had not the heart to oppose it in public. Next it was supported by the entire party of the movement, or of revolution, in

this country. They cordially approved of the bill, not because they viewed it as a final measure, but as being the first step to still greater changes. This they broadly declared. There was another numerous class of persons, who, almost to a man, supported this bill, namely, the great body of dissenters. He would not advert to their motives. He merely mentioned the fact. Again, there was another numerous class, consisting of all those who were dissatisfied with their actual condition: they, too, were favourable to the measure. Added to these, there was another formidable and an active body, —he meant the periodical press,—the greater portion of which supported this measure, for reasons that were sufficiently apparent. They prospered in agitation, and they thought that the carrying of the bill would perpetuate agitation. Besides, looking to what had occurred in France and Belgium, these conductors of the press saw a new road opened to their personal ambition. They believed that they would be enabled to take a station in society, and to assume a power, which, five or six years ago, never entered their minds. These were the parties who supported the bill, and gave to it their great numerical strength. That strength he admitted to be of a most formidable description, and also that it was most powerful in its organization. But he would ask, whether the opinion of such a combination of persons ought to possess influence sufficient to decide their lordships' votes on a momentous occasion? The same combination of persons, agitated by the same excitement, and actuated by the same motives, might, he was convinced, not only under

the present ministers, but under any set of ministers, be brought together, and incited to act against any of the institutions of the country—against the hierarchy—against the existence of a standing army—against the legislative authority of that House. In the scheme of the constitution of this country, it was generally admitted that the Sovereign, or those who represented him, joined the conservative mass in order to keep down the democratic power. It never was imagined that the Crown would throw itself into the democratic scale against the conservative body. Lord Bolingbroke, in his *Essays*, as well as another very able writer, had stated, that if such an occurrence took place, it would inevitably lead to the overthrow of the constitution. From the time the measure had first been brought into the other house of Parliament, ministers had been challenged to point out any sufficient reason for so extensive a change, and he had heard nothing in the discussions either of the last or of the present parliament which could in any respect justify it. The measure intended to have been proposed by the noble and learned lord on the woolsack would, he believed, have been approved by all parties; but it was a measure that would have been less extensive and sweeping than that now called for. They were told that they ought to have strictly independent representatives in the House of Commons. Taking the meaning of the word independence as those who advanced the argument used it, he would maintain, that, if the principle were conceded, there would be an end to the other two powers in the state. Never, in any part of the world, had such a

system existed. It had been tried in more instances than one, and constantly failed. Fifty years ago Mr. Hume wrote a treatise on this very point, and the result of his enquiry was, that the scheme was wholly impracticable. In our own times, a learned lord, a member of the other house of parliament, had canvassed the same subject in a quarterly publication, and had arrived at the same conclusion. Lord Bolingbroke had also considered the question, and he thought the plan impracticable, unless it was accompanied by another change in the constitution. And what was the remedy he proposed? An extension of the prerogative of the Crown. Under this bill, the House of Commons would be so constituted that no government could be carried on with it, unless in such a way as the House itself should dictate, and by ministers who would implicitly obey its commands.

There were, it seemed, to be sixty-four members for great towns. Was it possible to think that this would not throw a great preponderance into the scale of extreme democracy? And from whence were those sixty-four members to be taken? They were to supply the places of those who were taken from the conservative class. Let it be considered that two-thirds of the members returned from Scotland would be on the side of extreme democracy, and that nearly the whole of the elections by the catholics of Ireland would be on the same democratic side. If their lordships would take the trouble of making the calculation of the probable, the almost certain results of the elections, they would find that they would make a difference of 200 members at the democratic



side. And what was on the other? The noble earl supposed that there would be some counterpoise on the other side: but no, there would be 200 members taken from the conservative class, and added to their opponents; and was it possible, he would ask, for the government of the country, in its present form, to be carried on with a House of Commons so constituted? The House of Commons, having, as was known, the power of disbanding the army, would be the only power of the state. What necessity, then, was there of running such a risk,—of risking all on such a cast. There might be some risk, though he believed it would be but slight, in rejecting the bill,—but it would be nothing compared to the danger of passing it. The danger of having a House of Commons which might dispose of their lives and liberties without control, would be infinitely worse than any which had yet been pointed out. The danger of collision between the two houses, he treated as chimerical. The House of Lords had as much right to reject the bill a second time, as the House of Commons had to send it to them a second time.

Earl Grey, in his reply, repeated the answers which had been already put forward to the different views taken of the bill by its opponents, and, in particular, denied the charge of having either caused the excitement, or carried change to an unnecessary and extravagant extent. He averred, he said, without fear of contradiction, that the late ministers, when they quitted office in November, 1830, were unanimously of opinion, with the exception of the duke of Wellington, that the government could not be

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carried on unless some degree of reform were conceded. Lord Lyndhurst himself had then expressed the same sentiments. “We,” continued his lordship, “succeeding to that administration, found it necessary to look at some measure of reform, and the question, therefore, with us only was, how far the reform should go. Government may have erred—our views may have been wrong—but applying our best judgment to the best information we could obtain, and examining minutely the situation and prospects of the country, the view we took was this—that, something being to be done in the way of reform, it should be done to that extent as to give us a resting place, on which the constitution could repose in future free from all farther discussion and agitation. We acted on that principle. Reform being necessary, the other consequences were the result of our honest and unbiassed judgment. Then this measure of reform was introduced and was received with satisfaction by the whole country. In the progress of the feeling of reform it was strongly directed to those injurious systems, annual parliaments, universal suffrage, and vote by ballot. Those I have declared on other occasions, even when I was most eager for reform, to be in opposition to my principles; but this measure, founded on the satisfaction of the public—and without it I admit the measure would be good for nothing—was no sooner propagated, than all agitation became silent, and an unanimity manifested itself to a degree which was hardly conceivable.” On the subject of the threatened creation of peers, which had been so frequently and so pointedly alluded to, his lordship said, that the best

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writers on the constitution maintained that the best way to prevent a collision between the two branches of the legislature was to put in requisition the prerogative of the Crown for the creation of peers. That the Crown had the right to use this prerogative for such a purpose he was prepared to maintain. More than that he would not say at the present moment.

The House divided at seven o'clock in the morning of the 14th of April, when the second reading was carried by a majority of nine. The numbers were,

Contents,	
Present 128 ; Proxies 56 :	184.
Not-Contents.	
Present 126 ; Proxies 49 :	175.

Majority for the 2nd reading 9.\*

The committee was appointed for the first day after the Easter recess.

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\* The following was stated to be the manner in which this majority came in place of the former minority.—

The majority in the House of Lords on Saturday, the 8th of October, 1831, was

41 ; the majority on Saturday, the 14th of April, 1832, was 9—50. The anti-reformers gained 3, who voted on the latter and not on the former occasion,—viz. Marquis of Abercorn, Earl of Ashburnham and Lord Oriel (Viscount Ferrard) : the reformers lost 3, who voted on the former but not on the latter occasion,—viz. Marquis of Donegal, Marquis of Westmeath, and Lord Dawnay (Viscount Downe :—56.

A comparison between Ridgway's Lists will account for the 56.

A. 17 peers who voted against the bill in 1831, voted for it in 1832, each counting as two ; B. 10 peers who voted against it in 1831, did not vote at all in 1832 ; C. 812 peers who had not voted at all in 1831, voted for it in 1832 :—56.

A. (17.) Earls of Harrowby, Tankerville, Bradford, and Coventry. Lords De Roos, Calthorpe, Wharnccliffe, Gambier, Gage, Ravensworth, Northwick, and Melros (Earl of Haddington). Bishops of Lincoln, Llandaff, Lichfield and Coventry, Bath and Wells, and one Irish Bishop, viz. Killaloe ;

All the four Irish Prelates having voted against the measure in 1831.

B. (10.) Marquis of Bath, Earls of St. Germans, Stamford, and Dudley. Lords Carberry, Skelmersdale, Ribblesdale, Dufferin, and Ross (Earl of Glasgow. Bishop of Peterborough.

C. (12.) Earls Stanhope, Somers, O'Neill, Stradbroke. Lords Middleton, Crewe, and Stuart (Earl of Moray). Archbishop of York. Bishops of London, St. David's, Worcester, and Chester.

## CHAP. IV.

*Committee on the Bill in the Lords—Motion that the Disfranchising Clauses be postponed to the Enfranchising Clauses, carried against Ministers by a majority of thirty-five—Ministers apply to the King to create Peers—The King refuses—Ministers resign—Commons vote an address to the King to recall them—Violence of the Reformers—Petitions to the Commons to refuse the Supplies—Failure of the attempts to form a new Administration—Ministers recalled—Explanations of the Duke of Wellington and Lord Lyndhurst—Discussions in the Lords on the late proceedings of Ministers—Application of the King to the opposition Peers to withdraw—Explanation of Sir R. Peel—Committee on the Bill in the Peers—Reform intended to have been proposed by the Opposition—The Bill passes and receives the Royal Assent.*

**T**HE majority, by which the second reading of the reform bill had been carried in the House of Lords, was greatly too insignificant to give the Ministers any confidence of being masters of it in the committee. They had nevertheless gained much. A creation of an hundred new peers, fatal in any circumstances to the independent existence of the House of Lords, would have appeared, if possible, still more unjustifiable, if it had preceded the second reading, when it was yet unknown what effect might have been produced on the temper of the House by the continued excitement of the public, the determination of the government, and the changes which had been made in the bill itself. On the other hand, if the second reading were again lost, the bill was thrown out for the session, unless all parliamentary law were set at defiance; and, if the ministers did not become the victims of the violence which had hitherto been exerted in their behalf, they

would at least have forfeited the countenance of furious unions and more furious journals, which had hitherto been useful partisans. A great danger was thus avoided by getting the bill into committee, by however small a majority. As no proxies count in committees in the House of Lords, they might, perhaps, reckon on the more constant attendance of the friends of government, and the relaxed hostility of those who thought that the only position, from which the substantial mischiefs of the bill could have been effectually reseated, had already been abandoned. At the worst, they had still the same power of creating peers. They might expect to strip such a measure of part of its odium by representing the votes of the committee as contradictory to the decision of the House adopting the principles of the bill, and by insisting that the conduct of the majority was a disingenuous and insulting contrivance to destroy in detail what they had

been afraid openly to oppose. That they must have laid their account with having recourse at last to this extreme measure seems to follow from this, that, knowing as they did the sentiments of the peers who had now given them a majority, they could not reasonably expect to carry the bill unscathed through the committee by means of that majority, unless they were prepared to make greater concessions than they had yet shown any symptoms of granting.

Parliament met, after the Easter recess, on the 7th of May. The House of Lords went into committee on the reform bill, no attempt having been made by the opposition to move any instructions to it. In the committee, Earl Grey stated that the House would probably be inclined to follow the course which had been adopted by the House of Commons, viz. to dispose of the enacting parts of the disfranchising clauses, leaving the schedules for future consideration. Thus, in regard to the first clause, they had begun by determining that fifty-six boroughs should be disfranchised, and had delayed the schedule of the particular boroughs till the other clauses should be disposed of. As there were some, however, who objected to say, in the first instance, that the number of fifty-six should be disfranchised, it was his intention, when they came to that clause, to propose that the words "fifty-six" should be omitted, and to propose that each of the boroughs in schedule A., that is, the different boroughs in the schedule, as they were afterwards to be separately proposed to the House, should cease to send members to parliament. He thought this the best mode of obviating the objection to the clause as it now stood.

On this, Lord Lyndhurst suggested that it would be still more convenient to postpone altogether the consideration of the first clause. If this were done, he should likewise propose the postponement of the second clause; and he would take this course, for the purpose of entering on the consideration of the boroughs and places to be enfranchised, a matter which he thought ought to be discussed, before the House entered on the question of disfranchisement. This would involve nothing like a prejudgment of these clauses. To borrow the language of his profession, he desired that the clauses should be postponed "without prejudice,"—in fact, that the House should reserve itself for the consideration of them unprejudiced and unfettered, precisely as if they had not been postponed at all. He recommended this mode of proceeding, because a bill of this kind ought to be essentially a bill of enfranchisement, of which principle disfranchisement ought only to be the consequence. The proper mode of proceeding in disfranchising a number of places was, to begin by establishing the necessity of the occasion, and by ascertaining previously what places were to be enfranchised. Earl Grey's proposal met the objection in part, but not altogether; for by coming to the consideration of the first clause they would still make disfranchisement precede enfranchisement; but if his lordship would not only omit the number "fifty-six," but abstain from incorporating the schedule with the clause, the objection would be entirely obviated. It was more gracious to begin with an act of favour, or if they would, of justice. Now to begin with disfranchisement was to

begin with depriving persons of a right. The preamble of the bill admitted that it was a right; and before touching it, they ought to establish enfranchisement as the foundation and justification of the proceeding. If they pursued this course, they would disfranchise as a matter of necessity; but if not, on what principle would they disfranchise? In almost every plan of reform hitherto brought forward, enfranchisement had been the end, and disfranchisement had been regarded only as a means. Seventy years ago, the plan of Lord Chat-ham was, to add a hundred members, to be returned partly by the counties, partly by large towns; but disfranchisement formed no part of it. The next was Mr. Pitt's first plan in 1783, which likewise proposed the addition of an hundred members, and provided for disfranchisement only in this way, that if any borough should forfeit its right to return members, then the franchises should be thrown into the general mass. Mr. Pitt's second plan, that of 1785, was, to add seventy-two members, and raise a sum of money for the purchase of thirty-six boroughs; but this latter step was to be a subsequent measure, and was not to be resorted to, till it had been seen how the addition of the seventy-two members would operate. Mr. Flood's plan was, likewise, one of addition, without any mention of disfranchisement. Of Lord Grey's own earlier plan, the main feature was, the great increase of the county members. Some years ago, another plan had been introduced by Lord John Russell, comprehended in four resolutions, the second of which declared, that it was expedient to give members to the large towns then unrepre-

sented; but the third resolution recommended the appointment of a committee to consider how the enfranchisement might be best effected without any inconvenient addition to the members of the House of Commons; and the very words of Lord John Russell on that occasion were, "Let us first agree as to what towns shall be enfranchised, and then we shall see what is to be the extent of disfranchisement, — what alterations it may be necessary to propose." On the same principle he would now proceed. It was no prejudging the question of disfranchisement; for their lordships would afterwards measure the extent of disfranchisement by the extent to which they should have carried the principle of enfranchisement. He admitted, at once, that he considered the second reading of the bill to have fixed the three principles of disfranchisement, enfranchisement, and extension of suffrage; but yet the House was not fettered, in the slightest degree, as to the point to which these principles were to be carried, although he had no hesitation in saying that, after all that had passed in both houses of parliament, and looking at the state of the country, and the expectations which were abroad, neither he, nor those with whom he acted, were disposed to suggest any alterations which would render the measure unsatisfactory to intelligent reformers. He moved that the first and second clauses of the bill should be postponed.

The Lord Chancellor reminded the House that, although Earl Grey had proposed to omit the number, that had no connection whatever with any intention not to propose the disfranchisement of all the fifty-six.

He admitted there would be an inconvenience attending the clause if it were proposed at once that fifty-six boroughs should be disfranchised; and therefore it had been proposed to leave out the number, but with the certain intention of proposing the insertion of every one of the fifty-six as they went on. The present proposition was of a different character, and, considering by whom it was likely to be supported, he could view it in no other light than as a negative of the most important part of the bill. If the mover of that proposition would even now say that he did not object to the principle of schedules A and B, but that he would rather schedules C and D should be taken first, he could understand the objection, and might be disposed to accede to it. If he would point out that there was something for which they ought to wait, before proceeding to the examination of this first clause, some information which they had not yet obtained, but which might be forthcoming at a later period of the discussion, he should not think the motion unreasonable; but when the mover left them in the dark as to all this, and as to his own intentions, and those of the party with which he acted, in relation to these clauses, he could not but think that the proposition was made with a view to get rid of the clause altogether. The attack,—for attack it was,—was directed against that part of the bill which he most valued, and which those opposed to all reform most dreaded; for their great hatred was directed against schedule A, and if that could be put in jeopardy, or defeated, it was easy to guess how it would fare with schedule B, and the rest of

the measure. The leading principle on which the whole was founded was the taking away the representation from places which, in the lapse of time had become obscure and decayed, and which had also, from the same causes, become corrupt or fallen into the hands of individuals. They were now told, however, that it could be of no importance that disfranchisement should be taken last, because when they knew what they had to enfranchise, they should then know the extent of disfranchisement. But were those who were favourable to the principles, as well as to the details of the bill, to wait, and hazard the safety of those principles, until they saw to what degree of enfranchisement its enemies would consent, that they might then ascertain how far they would be permitted to carry the principle of disfranchisement?

The Earl of Harrowby thought Lord Lyndhurst's proposal most reasonable and convenient. But though he would support it, he could not allow it to be supposed for a moment, that he meant, by this postponement, to object to the disfranchising clause, even to its full extent, if, after considering the enfranchising clauses, their lordships should be of opinion it ought to stand in the bill. He had been glad to hear Earl Grey himself state that the words "fifty-six" were to be omitted from the clause—for the retaining of which he saw no reason except that they were placed there; but the noble earl, though he proposed to omit the words fifty-six, meant to move that each of the boroughs composing that fifty-six should be proposed *seriatim*. Now he would ask whether this was not the same thing in effect? Would not the more

safe course be to adopt what was now proposed; for if they went on from borough to borough in the first clause, they would not know where to stop. They would have in that case nothing to guide them with certainty as to whether they should disfranchise fifty-six, or forty-six, or sixty; but if they began with enfranchisement, then they would have something to guide them. It was not the difference of one or two towns; it was not the difference of whether this place was enfranchised, before that was disfranchised. That might not be the most important consideration; but it was an important consideration to see generally how far the principle of enfranchisement was necessary, and then it could be more easily ascertained how far they ought to carry the principle of disfranchisement. He was disposed to go to any reasonable length which would give a chance of tranquilizing the country and placing a good government on a firm basis: but the more safe, reasonable, and prudent course would be, to consider first that part of the bill which was matter of grace and favour—to see which were the towns whose wealth and rank entitled them to representation—then to go to the counties, and enquire which were those that required additional members—next to consider the means of giving to all a respectable constituency; and then they might, with great propriety, consider how far they should carry the principle of disfranchisement.

Lord Bexley was of the same opinion, and thought that the remedy should not be carried beyond the grievance complained of. Their lordships would thus arrive at the question, whether any dis-

franchisement was necessary; for it seemed to him, that, by a proper adjustment and classification of boroughs, disfranchisement might be avoided altogether. The Earl of Radnor, on the other hand, thought that this proposition, coming as it did, from a declared enemy of the bill, and who still thought that nomination boroughs did not deserve to be condemned, meant nothing else than throwing out the disfranchisement clauses; and these were precisely the clauses which chiefly interested the popular will of the country. Notwithstanding what had been said, there was an essential difference between it and the proposal of Earl Grey. The latter had merely said this:—"If you lay down in the first instance that fifty-six boroughs are to be disfranchised, you must then look out for the different boroughs which are to form part of those fifty-six: but if you omit the words fifty-six, you are at liberty to look out for the nomination boroughs, and if you find fifty-six boroughs or more deserving disfranchisement, you can put them both at once into schedule A." The difference between the two propositions was thus the difference between cause and effect.

The Duke of Wellington said, he had already avowed, and would again avow, his decided hostility to the bill. He was convinced that, do what their lordships might with it, it would never be any thing but an evil to the country. His opinion was, that when they should have amended this bill as far as it was capable of amendment, they would find a crisis hanging over the country which this bill would have occasioned, and which it would not leave the government with the means of averting. But when once the bill had passed the second read-



ing.—when a majority of their lordships had decided that its principles were fit to be acceded to, and that its details should be considered in a committee, he felt it to be his duty, as a peer of parliament, to consider the principles of the bill, and to make it so far as it was capable of being made, a measure fit for the House to pass and for the government to carry into execution. No answer had been even attempted to the argument of lord Lyndhurst, which showed that, according to all precedent, according to all analogy of law, and according to all the acknowledged maxims of the constitution, the first principle which ought to be considered was the principle of enfranchisement, and that the second was, whether disfranchisement ought or ought not to follow it. To that argument, the lord Chancellor, who was a great lawyer, and capable of giving an answer to any argument which could be answered, had not said a single word. He had left the argument as it stood, and that was a decisive proof that the argument was unanswerable. It was not with any dirty view of defeating the bill by a side wind that he supported this amendment. The question for their lordships to consider was, whether they would first vote one clause, by which, one after another, fifty-six boroughs were to be disfranchised, and then another by which thirty more were to be partially disfranchised, without knowing what the extent of enfranchisement was to be, and without having decided whether they would go to the full length of the bill itself. And why was all this to be done? Because certain persons in the country thought proper to call those boroughs rotten nomination

boroughs. Now, whilst they were talking of rotten nomination boroughs, he wanted to know whether no such boroughs would remain after this bill was carried? It was well known that there would. He thought that at a future stage of the bill he should be able to prove at their lordships' bar that a nomination borough was even created by it.

Lord Holland argued, that the present proposition was inconsistent with the decision to which the House had come on the second reading, being, in truth, a proposition against the principles of the bill. The principles of this bill were disfranchisement, enfranchisement, and the extension of the suffrage; and one of its subsidiary principles was the order in which its three great principles stood. And in speaking of the principles of the bill, they must always bear in mind what were its principles according to the conceptions of the House of Commons, and of the people. Now, after their lordships had sanctioned the view taken of the bill by the House of Commons by agreeing to the second reading, would it be wise, prudent, or decorous, unless a strong case of necessity were made out, to tamper with that which the House of Commons, and, what was perhaps more material, the people of England, considered as the principle of the bill? In considering this amendment he was bound to look at its tendency and effect, rather than at its professions. The noble and learned mover had told them, that he bowed with deference to the decision of the House on the second reading; and yet what course was he now pursuing? The whole of his argument was directed against the principle of disfranchisement. "I will admit," said he, "of disfranchisement;

as a consequence of enfranchisement, but as a principle, I abjure, abominate, and detest it." But what said the bill, which their lordships had now read a second time? That disfranchisement was the principle of the bill; and that enfranchisement, if it were not a consequence of, was at least subsequent to, disfranchisement. Another noble earl had said, "this is a very simple matter, and it makes very little difference whether you enfranchise first, and disfranchise afterwards, or *vice versa*." Was it a simple matter, either in the feelings of the people, or in the effect which it would produce upon them? Did their lordships think that those who were attached to the bill, and looked forward with an earnest and ardent desire to its ultimate success, would consider the postponement of the disfranchisement as a trifling matter? They would feel that the postponement of that clause proved the existence of a strong feeling of hostility in the House against the principle of the bill. Another argument of the enemies of the bill, had been stated thus: "If you postpone this clause, there is great probability that there will be no disfranchisement at all;" and then the noble baron who said so, expressed a hope that some trick might be performed—some adjustment or classification of boroughs might be devised—which would do away with disfranchisement altogether. After such a declaration, coming with so much frankness from such a quarter, could he entertain a moment's doubt that the object of those who proposed the postponement of this clause was either to get rid of it entirely, or to maim and mutilate the bill in such a manner as would render it

the scorn, and not the delight, of the people?

Lord Wharncliffe said, that ministers and their supporters argued the question unfairly, when they assumed that those, who supported the amendment, were desirous of getting rid of disfranchisement. In voting for the amendment he was actuated by no such motive. On a former occasion, he said that he would agree to nothing which would affect the principles of the bill. He now repeated that declaration. He was prepared to go the full length of schedule A with respect to disfranchisement, and he knew that many noble lords on his side of the House agreed with him upon that point. But he would not disfranchise except upon grounds which would satisfy his conscience and the judgment of the country. How could their lordships tell how many boroughs it was proper to disfranchise, until they knew how many were to be enfranchised? It was possible that an addition might be made to the number of boroughs in schedule A, by inserting in it some of those at present contained in schedule B, or by other means. He could assure the House; now that the measure was in committee, noble lords on his side of the House were as anxious as their opponents could be, that disfranchisement should be carried far enough to satisfy the reasonable desires of the people. He entreated ministers to try whether there did not exist on his side of the House a cordial disposition to meet them cordially. If ministers would not stand out upon points which, after all, would not have any practical effect upon the good or evil of the bill, they would have it in their power to pass a measure which would give general

satisfaction to the country. Under these circumstances he must not be told that the mere proposition to postpone the reading of the first clause, until after the third had been disposed of, was an attempt to defeat the principle of the bill. What principle would it defeat? Would it get rid of disfranchisement? No; nor was it so intended. If a reform of the representation was to be made upon fair principles, enfranchisement ought to precede disfranchisement. For himself, if the question before the House was simply whether the whole of schedule A should be adopted, he would vote for it; and, further, he would state, that he would never consent to any arrangement which would reduce the amount of disfranchisement below that contained in the schedule.

The Earl of Harewood thought that, as the bill had passed the second reading, and entered the committee, it ought to be dealt with fairly; and if he believed that the motion now before the House contained any thing of a sinister character, he would not support it. At the same time he could not but lament that his noble and learned friend had not given the House a little more time to consider what would be the effect of his amendment. He believed that if ministers knew the nature of the amendments which would be proposed, if the postponement should be agreed to, much of their objection to the proposition would be removed. An idea seemed to be entertained that the object of the amendment was to defeat schedule A; but he believed that no such intention was entertained, and, if it were, he would not support the amendment. He believed that the amendments which would be proposed would

comprise the whole of schedule A.

Earl Grey said, that nothing could have been devised better calculated to defeat the bill than this amendment, and he would state at once that, if it were carried, he would consider it fatal to the bill. The principles to which he was pledged were those of disfranchisement, enfranchisement, and the extension of the qualification. With respect to the two first, he was ready to listen to any suggestions which might be made with the view of preventing injustice in details, but he would not consent to any reduction of the extent of either disfranchisement or enfranchisement. To the third principle he knew the expectations of the people were most anxiously directed—he meant the qualification. To the 10*l*. qualification he felt himself decidedly and irrevocably pledged, and he would admit of no alteration respecting it, except such as could be clearly shown to be a security against abuse. He would resist with the most fixed determination any proposition, which, under the pretence of regulation, would have the effect of raising the qualification. These things being fixed, so far was the proposed motion a matter of little consequence, that it appeared to him of the first importance. If it did not entirely subvert the principle of the bill, it materially affected it, and therefore it was quite impossible that he could accede to it. He could not understand upon what ground it was contended that it was necessary to enfranchise before disfranchising. He might reverse the proposition and say, that the amount of enfranchisement could not be ascertained, till the extent of disfranchisement was known. A noble baron had expressed a hope that

ministers would confide in the disposition of noble lords on the other side of the House to grant a proper measure of reform to the people. If he had observed any such disposition, no one would have been more ready than himself to have met it in a proper spirit, always recollecting that to the principles of the bill he was irrevocably fixed; but what reason had he to expect that any thing approaching to such an arrangement would be made? Many peers who had voted for the second reading, at the same time declaring that there was much in the bill which they objected to, now intended to support the amendment. Under these circumstances, could he trust the measure in their hands with the hope that it would be brought to such a consummation as would satisfy either his own conscience or the expectations of the public? With opinions so divergent, or rather so opposite, all arrangement was impossible. One noble lord said, that if any alterations should be proposed which would defeat the principles of the bill, ministers might reckon upon many allies coming over to them from the opposite ranks. That, however, was a hope on which it was not possible for him to rely consistently with his duty to his king, his country, and himself. He was of opinion that there would be a difficulty amounting to impossibility, under the present motion, to carry the bill to that successful issue which was necessary for the satisfaction of the public; and if it should miscarry, it would then be absolutely necessary for him to consider the course he should be constrained to adopt.

The House divided, and ministers were left in a minority of thirty-five; the votes for Lord

Lyndhurst's amendment being 151, and those against it 116. Earl Grey immediately moved that the House should resume, and stated he would then move, that the farther consideration of the bill should be delayed till Thursday the 10th. Lord Ellenborough regretted that ministers should thus interpose delay, and the more so, because it deprived him of an opportunity, which he would have had on the following day, of explaining to the House in detail, the amendments which he and his friends had intended to propose. He would merely say, that having, in conjunction with other peers, given the most serious consideration to the great principles of the bill—having well considered the claims possessed by the towns included in schedules C and D,—having likewise considered the reasonableness, under existing circumstances, of carrying into effect the changes which these clauses, taken in conjunction with other parts of the bill, would create,—having reflected on the proposal to give additional members to the counties,—and having at the same time very strong objections to schedules B and E, the result of the amendments to be proposed would have been to give enfranchisement to an extent such as would have made it necessary (unless an inconvenient increase of members of the House of Commons were resorted to) to disfranchise the boroughs contained in schedule A, which, with Weymouth, would cause a reduction of 113 members. Another proposal would have been, to prevent persons from voting for counties in respect of property situated in boroughs, and to adopt a more clear and certain mode of ascertaining the genuineness and value of hold-

ings, while both the 10*l*. qualification should be adopted, and the scot and lot right of voting retained where it already existed.

The farther consideration of the bill having been postponed, Earl Grey proceeded to the king, and tendered his Majesty the alternative of either arming the ministers with the powers they deemed necessary to enable them to carry through their bill, which meant a power to create whatever peers they might deem requisite, or of accepting their resignation. His Majesty did not decide immediately on the matter which was thus unexpectedly submitted to him ; but, in the course of the following day, he informed lord Grey that he had determined to accept his resignation rather than have recourse to the only alternative which had been proposed. All the ministers and their adherents immediately resigned *en masse*.

On the 9th earl Grey announced in the House of Lords, and lord Althorpe in the Commons, that the ministry was at an end, and that they held their offices only till their successors should be appointed. Earl Grey said, that the late division had reduced him to the necessity, in common with his colleagues, either at once to withdraw from his Majesty's service ; or to tender to his Majesty advice which then appeared justified by the peculiar circumstances of the case, with a view to carry into effect the measure of reform ; and finally, in the event of this advice being rejected, most respectfully to tender to his Majesty their resignation of the offices which they held. The last alternative, after much consideration, he and his colleagues had adopted. They offered to his Majesty that advice which they

thought the urgency of the case and the circumstances of the times required, and their advice not having been accepted, the alternative which they conceived it their duty to submit to his Majesty, was offered, and had been graciously accepted by his Majesty, who was pleased to receive their resignations ; at the same time expressing his thanks for their services during the time they had held office in his Majesty's Councils, and were honoured with his Majesty's support. He, therefore, moved, that the order for going on with the committee next day should be discharged, and he did not think it necessary to fix another day for that purpose.

This latter proposition, however, the earl of Carnarvon strenuously resisted. The House would not do its duty to the country or the sovereign, if it left them in this extraordinary state, by suspending so important a subject as reform. He declared his opinion that the noble earl had not done his duty, and thought it was not right that the bill should now be abandoned upon a point of form. Noble lords on his side of the House wished to proceed in the most conciliatory way, but the noble earl abandoned the bill because they would not begin with schedules A and B, and desired to proceed to C and D, in the first instance. That was the only ground of these most extraordinary events. The House knew what were the grounds—the slight and inadequate grounds—upon which the noble lords opposite had ventured to give his Majesty, the most atrocious counsel with which subjects had ever dared to insult the ears of their sovereign. Their lordships had also heard, as was natural to expect, that the sovereign



of this country, who had been amongst the first to recommend reform on broad and constitutional principles, when reduced to this necessity, had acted as every descendant of the House of Brunswick would have acted, under similar circumstances. It ought not to go forth to the public, that this resignation of his Majesty's government, whatever were the true motives of it, had arisen from any virtual rejection of the bill. If he was not wrong in supposing that such advice as that he had already alluded to had been given to the sovereign, he would ask their lordships, whether the history of this country supplied an instance, in which on such slight and trivial grounds a proceeding, so involving the political independence and constitution of that House, had been resorted to by any administration. If such an advice had been given to the sovereign, it was given in a spirit consistent with the mode of dealing which had been hitherto adopted by his Majesty's ministers towards their lordships,—it was given by ministers who meant to deal with their lordships as abject tools and instruments, precisely as they themselves were dealt with by those whom they could not deny to be their lords and masters. He, therefore, moved that the committee on the bill should be proceeded with on the following Monday. There would be no difficulty in postponing the question, should the House not be then in a situation to resume it; while it would afford their lordships an opportunity of going on with the measure, and introducing such amendments as they might think fit—an opportunity which, he regretted to find, his Majesty's government refused

to give them. Earl Grey answered that, in relation to the advice which had been termed "atrocious," all he could say was, that he had deferred offering that advice till the very last moment, when the circumstances of the times, and a sense of duty, as appeared to him, imposed upon him the obligation of humbly tendering it to his sovereign. Whether that advice was right or wrong, if it should become a matter of discussion, he would be found fully prepared to argue that he had taken the right course, and to defend himself from any imputations cast upon him. Having given his conscientious advice on an important subject to his Majesty, and that advice having been rejected, there remained no other course for him to pursue than that which he had taken. It appeared to him, that when the advice of a minister on such a subject was rejected, he had no other alternative than humbly to tender his resignation. It was futile to say that the subject at issue was a mere matter of form, a precedence of clauses. The principle on which he and his colleagues had proceeded was, to relieve the constitution of the other House of parliament from a mischief long complained of—the evil that existed in nomination-boroughs. The clause intended for the correction of that evil was postponed, in order to give precedence to the schedules of enfranchisement which ought to be regulated by the character and number of those boroughs that would be disfranchised, and their ability or disability to furnish a constituency. Thus the postponement of the two first clauses appeared to him to involve a very material change in the character and principle of the measure. It



nature of that advice which ministers had tendered to the king, and his Majesty's refusal of which had led to their resignation. Lord Althorpe continuing silent, Mr. Baring went on to say, that thus the House was left in utter ignorance. Members might all entertain different notions of what had been the nature of the transactions between the king and his ministers; and unless some formal explanation of their character was given, it was not consistent with the respect due to the House to take any step in consequence of the resignation of ministers. On what facts was the proposed address to be rested? The only known facts were, that the House of Commons had passed a reform bill, and sent it up to the Lords. Various statements had previously been made, that not the slightest alteration of the bill by the House of Peers could be permitted—that a certain person's honour and dignity would suffer by any change in its provisions. All this was contradicted by the head of the government, who declared, that the lords were to be permitted to deal with the bill as an independent branch of the legislature—that “he did not mean to fetter their lordships—that it was for them to consider what alterations should be made; but that if its great principles were touched, then he would not continue in office.” Now what alterations had been made, which would justify ministers for throwing the country into confusion? No ordinary apprehension or surmise of the probability of the bill being altered at some future stage could justify them for producing the danger and embarrassment, which, they must have known, could not but result from any difference of opinion

occurring between them and their master. The present motion, though in phraseology an humble address, was, in reality, nothing but a dictation to the king, to take no ministers but those who would pass the reform bill as it was. In plain English, it expressed a desire on the part of the House, that his Majesty should take back his late ministers. But how was the king to take them back? The king had not discharged them; ministers themselves had given notice that they would not serve him; and was his Majesty to go on his knees, and entreat them to come back? Supposing the address to be presented to the king, the natural answer would be, that he could not take those back who did not choose to serve him. He entreated the House likewise to consider from whom the first proposition for change, in the committee on the bill in the upper house, had originated. The prime minister himself had proposed the postponement of the number of boroughs to be disfranchised; and no man of common sense could deny that this was as much a departure from the letter of the bill as that on which ministers had been defeated. The latter, again, left the main substance of the bill untouched; being merely a proposition to defer the disfranchising clauses, till the enfranchising were disposed of. The same proposal had been made in the House of Commons, when Lord Althorpe had declared that he did not think it a matter of any importance, whether they began with the enfranchising or disfranchising clauses, but that he thought it more convenient to take the latter first, as they were first set down in the bill. Yet this same proposition was greedily seized by another

minister, in the House of Lords, to throw the country into almost inextricable confusion. Lord Lyndhurst's proposition, in itself, was fraught with no danger to the main principles of the bill, and he did not believe that its supporters had any intention to mutilate or emasculate the bill. But even if it had been otherwise, was the suspicion that such might be the intent or possible sequel of the proposition, sufficient to warrant the minister in hurrying with breathless haste to the king, and tendering him an advice, the rejection or adoption of which must shake all confidence in the stability of our institutions? Why did he not at least take forty-eight hours to try whether his suspicions were well founded? Why not test the sincerity of his opponents, by waiting till the enfranchising clauses were disposed of, and seeing then whether they rejected disfranchisement, before calling on his sovereign to adopt a violent course, which a little delay would have shown to be altogether unnecessary? If, indeed, after consenting to the postponement, his adversaries had refused to sanction the disfranchising clauses, he then might have gone to the crown and demanded its aid to carry the bill entire, but surely not till then. Let the motive of the proposition be as adverse as ministers alleged they had the remedy in their power at a future stage, when its purport was beyond doubt; and it was plain, therefore, that they were wholly unjustifiable in precipitately, unnecessarily, and recklessly endangering the peace of the country, when forty-eight hours would have enabled them to act on certain and incontrovertible grounds. It would have done more. It would have

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shown them that the advice, which they were so ready to tender, was utterly uncalled for. The mover of this address himself had described the supporters of the obnoxious proposition as being inclined to render the bill more democratic than its authors contemplated or desired; and if so, where was the fear that it would be mutilated in its more popular features and rendered more aristocratic than was compatible with the public interest. He was convinced that a majority in the House of Peers would have agreed to the disfranchising clauses, not from any conviction that the destruction of the small boroughs would contribute to the public prosperity, but from the stress which had been laid upon them out of doors, and as essential to the peace of the country. Why, therefore, did not earl Grey wait a couple of days to ascertain whether this was not the course intended to be pursued?—for that brief period would have sufficed to test the sincerity of his opponents, and, as a consequence, to have saved the king and the country from the present embarrassment.

Mr. Baring proceeded to say that it was highly necessary, before the House agreed to this address, to know the nature of the advice, the rejection of which by his Majesty had led to the resignation of his ministers. Who could agree to a motion which, however expressed, implied a censure on the king for permitting his servants to leave him, without knowing particularly and accurately, what were the only terms on which they were willing to continue to serve him? He knew nothing of the nature of that advice, and far less of the grounds on which the king refused to act upon it. He had heard that it

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carry the proposed disfranchisement. They had a right to say to his Majesty, "you have guaranteed to your people the success of this measure, and we now call upon you to take the only step which can secure it. Let us therefore create sixty peers." Less than that number, he admitted, would have done no good, but he would not have objected to creating even 100 peers. Knowing what he did of the House of Lords, and of the motives which influenced the conduct of its members, he had no hesitation in saying, that if his Majesty had given a *carte blanche* to earl Grey, the creation of ten peers would not have been required. The reason why the anti-reforming peers were so bold was, that some silent word had been whispered to them, that no peers would be created. They had acquired this knowledge somehow or other. He thought that ministers had acted rightly and wisely in bringing this matter at once to a speedy conclusion, instead of allowing it to linger on for months, delaying all public business and keeping the public mind in a state of perpetual ferment.

Lord Morpeth admitted, that the proposal of making so large an addition to the peerage for a specific purpose was a violent and a startling measure; and if followed as a precedent without a sufficient cause, it would entail on those who might hereafter propose it the highest degree of responsibility and blame; but if the measure were resorted to for the purpose of bringing about a good understanding between the two orders of the realm—if the settlement of the present important question would promote the prosperity of the country,—the addition to the number of peers could be no degradation

to that body. What were they to think that the ancestral honours, which had descended to them, could be degraded by a measure which would give them deeper root in the hearts and affections of the people? He deeply regretted the circumstances which had rendered the motion necessary. He regretted it for the sake of the sovereign, who, he must presume, had the interest of his people at heart; he regretted it for the sake of the future peace of his reign; and he regretted it on account of the removal of the present ministry, which must take place, unless that House should adopt some measure to prevent it. If that bill were to be given up, where were they to look for a measure equally efficient? He spoke of a present and immediate measure; for that the principles contained in that bill would eventually be adopted, no man could entertain a doubt; but where were they to look for an efficient measure of reform? Were they to look for it from those whose speeches had been hitherto strongly against all reform, but who now in the eleventh hour stated their willingness to disfranchise fifty-six boroughs, thus going the whole length and breadth of schedule A. Were they to look for it from the member for Tamworth, who, with all his talents and qualifications for office, had declared himself against the expediency of all reform? Were they to expect reform from those who had hitherto been opposed to all reform? No efficient measure of reform could be expected from these parties. Was, then, the country to remain without any measure of reform, and would they be satisfied with the refusal? He was sure they would not. One thing, however, he did most sin-

cerely hope for—that the people would, under this severe disappointment, remain orderly and tranquil.

Sir Robert Peel opposed the motion. The first resolution, he said, implied a complete confidence in the existing government. To that he could not assent. With reference to the general course which the government had taken, he could not say that they deserved his confidence. He was anxious to avoid entering into particular statements; but with respect to the reform question, and with reference to some other points, he was decidedly opposed to the course which the government had pursued. He had not, generally, objected to their measures; he had, when he thought those measures just, supported them. He had thus acted openly and fairly. But now he came to a particular measure,—the advice which ministers had given to the crown, and to the conduct which they had pursued for the purpose of carrying that measure,—and he would ask, how that House could with justice be called on, as these resolutions did, to give full confidence to the proceedings of ministers, without a complete explanation of the course which they had taken? It was said to be right to create a number of peers to carry a particular measure. He could not conceive any doctrine more fatal to the liberties of the country, or more entirely unconstitutional, than that which was thus contended for. It was, in fact, a solemn mockery of legislation, when those in power cried out, “Give us sixty or a hundred peers, in order that we may be enabled to overthrow the independent voice of parliament.” It should be remembered, that the same argu-

ment might be, and probably would be, advanced by another House of Commons in support of some other object. If once they recognized such a principle, it was impossible to say how far they might be impelled to go. The abstract principle of overwhelming one branch of the legislature for the purpose of carrying any particular measure, was in its origin bad, and was likely, as a precedent, to be still more pernicious. No overruling necessity existed in this instance; and, he would ask, why did not ministers wait before they gave such advice, until some overruling necessity had really occurred? One half of the present debate was taken up with taunts against men, whose only fault appeared to be, that they saw the difficulties connected with the bill, and were anxious to consider them maturely. If there were anything peculiarly unpleasant in the debate, it was the throwing of obloquy on men, who, from conscientious motives, had found it necessary to pursue the course which they adopted. The second resolution was equally objectionable, because it assumed, as matters of certainty, points which were strongly disputed. The third resolution he must also object to, because it set forth, that his Majesty’s subjects were most anxiously waiting for the completion of this measure, when it was perfectly notorious that a very great difference of opinion existed on the subject. The resolution went on to say, that “we cannot disguise from his Majesty our apprehension that any successful attempt to mutilate or impair the efficiency of the bill will be productive of the greatest disappointment and dismay in the country.” Now, what was the case? That

House had sent up a bill to the House of Lords, which bill had been read a second time. Great difference of opinion existed, in both branches of the legislature, with respect to that measure. Was it right, then, that the House of Commons should, by such a resolution as this, refuse to allow any modification of the present measure? Was it fitting, when the House of Lords had assented to the principle of the measure, that the House of Commons should send up an address to the crown, declaring that they never would allow any alteration in its details? Was it fitting that they should thus interfere with the acknowledged functions of the House of Lords? This had become a question between the House of Lords and the House of Commons. And what was the course which they were called on to adopt? Why, without any time being given them to consider the subject—without any opportunity of even consulting their journals, they were called upon to say, “we will not agree to any thing which the lords may propose.” The last resolution, he would maintain, was neither more nor less than a positive dictation to the crown. That dictation was not warranted, though there had been a majority in favour of the reform bill. The resolution “implored his Majesty to call to his counsels such persons only as would carry into effect, unimpaired, that bill for the reform of the representation which has recently passed this House.” Such a resolution came to this,—that they would not allow the House of Lords to alter, in any degree, the clauses of this bill. It called on the king to employ no persons in his councils, who would not pledge

themselves to carry into effect the bill for the reform of parliament which had already passed the House of Commons. Was it right to ask the crown to do this?—to demand that all interference with the details of the measure, the principle being left out of the question, should be prevented? The ground, on which, in 1807, the then ministry quitted office, was the very ground which was now sought to be recognized by this resolution. It was not because the king refused his consent to the Catholic bill of that day, for the ministers withdrew that bill; but it was because the king required a personal assurance that, during the time of Lords Grenville and Grey being in office, they would not make any similar proposition. The answer of those noble lords was, that they would give no such pledge, but that they would be guided according to circumstances; and an amendment was afterwards moved in that House which embodied the same sentiments. Now, in this case, the fourth resolution went to pledge the House, under all circumstances, no matter what they might be, to adopt a particular measure. He, however, would say, as lords Grenville and Grey had done in 1807, “we cannot pledge ourselves to any measure without a due opportunity of considering the circumstances.” To require such a pledge from the crown, he considered to be most unconstitutional. He saw nothing in the conduct of the other House which demanded the course now proposed. Such language and sentiments as were contained in these resolutions were unnecessary for the vindication of any privileges of their own House, and were, in



his opinion, totally uncalled for by the occasion.

Mr. Macaulay considered it a position which could not be controverted, that the House had a right, with respect to the prerogative of the sovereign in the choice of his ministers, as with regard to all the other prerogatives of the crown, to offer its respectful advice. He undoubtedly did understand the present resolution as a recommendation to his Majesty to retain his present ministers. He could not see how it could be otherwise understood; for he could not discover any other materials from which such a ministry as that which they recommended to his Majesty could be formed. While it was a recommendation to take back the ministers, it was likewise a recommendation to take back their advice along with them, and that advice appeared to him to have been perfectly constitutional. The prerogative vested in the crown, of creating peers, for the purpose of carrying any public question, was a valuable and useful power, the existence of which was absolutely necessary, in order, on important occasions, to obviate great and pressing inconveniences. He believed it would be found that the exercise of such a power would be in accordance with the principles of the constitution, as laid down by the greatest constitutional writers on all sides and of all parties. A reference to Swift, on the one side, to Walpole and Steele on the other, and to De Lolme as a middle and impartial authority, would satisfactorily bear out that assertion, and would prove that the constitution did not recognize any branch of the legislature existing as the House of Lords would exist, if this prerogative were not vested

in the crown, with uncontrolled and irresponsible power. They knew that kings had fallen upon erroneous courses; and what had happened in the case of an hereditary monarchy, might happen in the case of an hereditary nobility. The constitution afforded the means of dealing with a factious and perverse opposition on the part of the House of Commons; for the king could dissolve the parliament, and appeal to the people, at a time when he might think that appeal would stand the best chance of success. Again, that House was a check upon the king, for it could refuse the supplies. But was there to be no check at all upon the House of Lords? There existed, moreover, a strong necessity for counterbalancing by a creation of peers from the whig party, the number of peers which, during the last thirty or forty years, had been made from the tory party. He did not think that there could be a strong objection, under such circumstances, to the creation of fifty peers in one day, when no objection had been raised to the creation of 200 in the course of a generation, by the one party that during that period held power. When, by such a creation of peers during forty or fifty years, the House of Lords had been actually converted into the strong-hold of toryism, it was but right, when the other party came into power, they should redress the balance by throwing in a number from themselves. He, therefore, heartily concurred in the advice which, it was stated, ministers had given to the king, and he deeply regretted it had not been taken. Unless the present ministers returned to office, the reform bill was lost. He was utterly at a loss to conceive how,



in the present state of parties, any other ministry could be formed, which would carry any thing like an unlimited reform bill; and nothing less would satisfy the country. That the hon. gentlemen opposite would form such a ministry, he conceived to be absolutely impossible. He believed there was too much virtue in public men—that the declarations of the parties to whom he had referred were too recent—the interval too short since they were made—that the inconsistency would be too glaring—the motive too obvious, for noble lords and hon. gentlemen, who had declared decidedly against reform, to take up the bill with a view to carry that which the whigs had failed to perform on account of the opposition of these very individuals. How could those, who had constantly opposed the principle and details of the measure, now adopt it? Then, as to the small party that could alone undertake to manage the bill—he meant the waverers—it was utterly impossible for them to form an administration,—impossible for them to find a single person in whose hands to place the conduct of a government in that House. Therefore the people's bill must be considered as lost, if the men constituting the opposition came into office; and he was not sure that the bill had not better be lost than mutilated, or deprived of that which had been called by the opposition its “venom,” but which he considered its life-blood.

Sir Charles Wetherell said, he could never agree to any expression of unabated confidence in ministers, because he never had placed, and never would place, in them either unabated confidence, or any at all. The number of peers which they

had required his Majesty to create, had not been stated; but assuming that Mr. Hume was right in saying that sixty or seventy would have been required, he doubted whether any reasonable man could be found prepared to pass a resolution of regret at ministers' retirement, on the ground of the royal refusal to create such a number of lords as would have altogether extinguished one branch of the legislature. He charged them with the commission of a great political crime in calling upon the crown to commit an act which would have involved a most extravagant and improvident exercise of royal prerogative. Yet this advice constituted one of the grounds on which the Commons were expected to express regret at the retirement of ministers. The demand of ministers was criminal in its nature; and the king had done himself honour by the courage, firmness, and constancy with which he vindicated himself and the principles of the constitution. Why send ministers back to their places? Was it that they might repeat their crime, and renew their solicitations that his Majesty would destroy one of the estates of the realm? It was a mode of operation most offensive to the spirit of the English people; it was a plan by which the House of Lords was to become the nominees of ministers, and the nominees of those ministers who professed to hate in their heart and soul the very principle of nomination. Nay, they were to be prescribed the very mode, and the very series, in which the clauses of the bill were to be read. They were not only to be told how to vote, but the mode of their voting was prescribed. If the present House of Commons could venture to tell the king that he should not choose

his own ministers, and that the ministers should pass in the House of Lords the identical bill this House had sent up to it,—if the king, the House of Lords, and the ministers were so degraded in this parliament, how would it be in a reformed parliament? If lord Grey was to complain, because the House of Lords would not obey him, was not the dignity of the king affected? Was not the dignity of the whole House of Lords affected? Says lord Grey, “they shall speak and vote as I will.” Were the House of Peers not insulted by this, and by the threat of infusing an addition of members? If the House of Lords should be overwhelmed by such an infusion,—if it were possible that the king could be so criminal as to comply with the demand, the time would then be come when the House of Lords ought to be suppressed, for it would be no longer an estate of the realm. Suppose in a reformed parliament, the people desired to have cheap bread, and the House of Lords refused to pass a corn bill; and the member for Calne told them that the lords would not let them have corn at 4s. and 5s. the bushel. “What!” they would say, “shall the lords dare to do this? Who are the lords? They have no interest in the country but their wealth and property. Then if the House of Lords will not pass the bill, let lord Grey call sixty or seventy peers into the House, as he did before; you have given us in that way a reformed parliament, now give us cheap bread.” These consequences were involved in the monstrous and intolerable resolution before the House—a resolution never entertained by a House of Commons since the civil war. If the grace-

fulness of the language was to be an excuse for the violence of the act, the conduct of the republicans of that period was justifiable, for their language was humility itself. He congratulated the country that, in the head of the House of Brunswick, they had a prince who would not copy the example of a sovereign whose concessions cost him his crown: he congratulated them that he had refused this oily and smooth violence,—this unconstitutional poison—this concealed villainy, under the insidious garb of liberality,—this most unmeasured, exorbitant, and unlicensed exercise of prerogative, that would at once have annihilated the House of Lords, and have laid down a principle which might be copied in all future times.

When the House divided, the resolutions were carried by a majority of eighty, there being 288 votes for them, and 208 against them.

However opinions might differ as to the necessity or propriety of this vote, it was a proceeding within the constitutional powers of the House of Commons; but it was accompanied, throughout the country, with measures and declarations, on the part of the reformers and their political unions, which went much farther, and applied both to the crown and to the peers, the language of plain intimidation. Besides their own more regular meetings, the political unions convoked large assemblies in the open air, which, being called together by mere blind passion, ignorantly lent themselves, in the hands of interested demagogues, to violent resolutions which threatened a dissolution of society. They voted addresses to the King, praying him to create as many peers as

might be necessary, and addresses to the House of Commons to stop the supplies; they followed the example which had been set them by lord John Russell, in denominating the majority of the peers, a corrupt and despicable faction; they took into their consideration, whether it would be proper to commit a crime by combining to refuse payment of taxes; and being satisfied that the adoption of a formal resolution to that effect would expose them to the danger of an indictment, they confined themselves to an understood arrangement to do it as individuals, supporting each other by mutual encouragement. A meeting which styled itself a meeting of the inhabitants of Westminster, assured the king, that unless their advice were complied with, "tumult, anarchy, and confusion will overspread the land, and will cease only with the utter extinction of the privileged orders." At this meeting, one of the speakers, by way of showing the impossibility of forming a government, said, "To the waverers, who pretend to be friends of reform, we will present buttoned pockets; but for the absolutes, or military rulers, we will prepare our powder, and melt our lead." The National Political Union resolved to present a petition, praying that, till the bill passed, no supplies should be allowed to go into the hands of the lords of the Treasury, but should be paid over to commissioners named by the House of Commons; and this was specifically recommended to them on the ground, that it was taken from "that admirable resolution adopted by the House of Commons in 1642:" while another patriot assured them the question was, "whether the King's government

was to be brought into disgrace and peril, not paralleled except by the execution of Charles and the deposition of James."—"The time for resistance is come," exclaimed another orator; "the taxes are in the course of collecting. Will the people say to the 'tax-gatherer, what I said to him, until the reform bill is a law one penny' of my money you shall not touch? They may carry us into the Exchequer; let them sell our goods, and we will pay them a commission for it; but we will replevin, and appeal to a jury of our countrymen. Then we will try the question, and see what twelve Englishmen will say to a brother contending for his rights. The House of Commons has declared itself not to be the representative of the people, and the people ought not to pay taxes imposed by an illegal authority." The common council of the city of London resolved, "that whoever may have advised his Majesty to withhold from his ministers the means of ensuring the success of the reform bill have proved themselves the enemies of their sovereign, and have put to imminent hazard the stability of the throne, and the tranquillity and security of the country; and that under these circumstances, this court feels it to be its duty, as a necessary means of procuring for the people of this great country an efficient reform, to petition the Commons' House of parliament to withhold the supplies, until such a reform shall have been secured." They even went the length—and the example was followed in other places—of appointing a permanent committee, "to meet from day to day, to consider and adopt such measures as to them may seem necessary, in respect of a reform in the Commons

House of parliament." The livery assembled in Common-hall, as containing a larger quantity of unthinking and vulgar brawlers, was still more violent and abusive. In their resolutions, they described the determination of the Lords to take the enfranchising clauses first as a defeat of the bill, by which, 'however temporary, the past declarations of the King, and the repeated decisions of the House of Commons, the labours of an enlightened administration, and the voice of the people, have all and equally been disregarded and set at nought, by a small majority of the House of Lords; and the peace, tranquillity, and public credit of the country put to hazard, in order to aid the machinations of a despicable faction, or to promote the personal objects of individuals directly interested in the continuance of a corrupt system of government." They resolved, "that the livery of London regard with distrust and abhorrence attempts, at once interested and hypocritical, to mislead and delude the people, by pretended plans of reform, promised or proposed by the insidious enemies of all reform, at the very moment of their having succeeded in defeating the people's bill, and that, looking at the unexampled importance of this measure, and the strong necessity that it should be finally settled, in a manner satisfactory to the judgment, as well as to the rights and interests of the people, this Common Hall declare, that no administration can, in their opinion, now be formed, in which the country can or will place confidence, except the administration of earl Grey and his colleagues: and this Common Hall are now called upon to express their conviction, that whoever may have

advised his Majesty to withhold from his ministers such means have acted traitorously to both King and people, have been influenced by faction, and have sought to obtain personal aggrandisement at imminent risk to the stability of the throne and the peace of the country: that a petition be presented to the House of Commons, showing that the only measure pointed out by the constitution for preventing the continuance of a collision between the two Houses of Parliament had not yet been adopted, and praying that, in order to obtain a redress of grievances, and to bring about a speedy settlement of the aforesaid all-important measure, the honourable House will be pleased to exercise its undoubted function (given it for the good and welfare of the nation), by refusing to grant any further supplies to the executive government until the aforesaid bill shall be passed into a law; thereby preventing the painful necessity of enforcing the law against those who have already refused, or who may hereafter refuse to pay the taxes." They appointed a committee of fifty, with power to add to their numbers, "to continue their sitting until the reform bill, brought in under lord Grey's administration, be passed into a law," and recommended the formation of similar committees throughout the united kingdom. "Englishmen," said the address of the committee of the parliamentary reform union to the reformers of Liverpool, "Englishmen, speak out! and in the honest language of the late grand meeting at Birmingham, let us tell the boroughmongering peers, that, as they continue to oppose the wishes of the people, the House of Commons, and the King!"

have more lords, or—we will have none! It's come to this!" The resolutions and petition to the Commons, voted by the Birmingham meeting bore, "That your petitioners find it declared in the bill of rights, that the people of England 'may have arms for their defence, suitable to their condition, and as allowed by law;' and your petitioners apprehend, that this great right will be put in force generally, and that the whole of the people of England will think it necessary to have arms for their defence, in order that they may be prepared for any circumstances which may arise. Your petitioners do therefore most earnestly pray that your hon. House will forthwith present an address to his Majesty beseeching his Majesty not to allow the resignation of his ministers, but instantly to create a sufficient number of new peers to ensure the carrying of the bill of reform unimpaired into a law. And that your hon. House will instantly withhold all supplies, and adopt any other measures whatever, which may be necessary to carry the bill of reform, and to ensure the safety and the liberty of the country."

Nor was it the peers alone who were thus overwhelmed with unreasoning abuse. The King now learned the true value of the popular shoutings which had been made to attend him as the personal protector of the reform bill. The demagogues "changed their hand, and checked his pride," so soon as he seemed inclined to cease to be their tool, and to value the independence of all branches of the legislature more than their unthinking and unprincipled fury. The processions, which accompanied or followed the large meetings in the open air, were

adorned with banners and emblems which, going far beyond mere insult, pointed directly at the abolition of his office, or his removal from its duties. In one of the metropolitan political unions, a member gained for himself high applause by declaring, that, till the bill was passed, there was no William IV., but merely a duke of Clarence. The name of the Queen, too, was zealously dragged forward, as that of an active enemy of the bill, to be made the theme of unmanly and atrocious insult; for the trickery of the reformers, and of the reforming press, consisted in inventing fictions, and dealing with them as facts. Thus, when it was understood that the King had applied to the duke of Wellington, it was immediately promulgated that a determination had been adopted to rule the country by military law, and oppose the bayonets of the army to the votes of the House of Commons. At a public meeting in the neighbourhood of London, Mr. Hume told the multitude, "that military were marching upon the metropolis; and he asked whether, when other nations were free, they would submit to walk the streets with the brand of slavery upon them? whether they were prepared to bend before a military yoke?" He added, "that there were 150 peers against them; but he did not know how many women, though he had heard there were some"—an allusion which was immediately followed by "three groans for the Queen," and shortly afterwards her Majesty, while taking an airing, was grossly insulted by the populace. When Mr. Hume was called in question in the House of Commons for this language, his justification was that, in point of



fact, troops had been marching towards the metropolis, which Mr. Lamb, the under secretary of the home department, immediately stated had been done by order of ministers—that the duke of Wellington was understood to be prime minister, which was not true, and was “understood” only by those who found it more useful to deal in mischievous fictions than calmly to ascertain facts; and that, as minister, it could only be supposed that he intended to govern by the sword.

Nor was the House of Commons itself without men who followed slavishly all the violence of their leaders out of doors, and seemed to place their ambition, not in thinking like legislators, but in joining in every outcry however senseless, every fiction however absurd, every proposition however wild and unconstitutional. Instead of the attitude of calm but determined deliberation, the only attitude which becomes senators, awaiting, as they pretended to believe, a great struggle for constitutional right, they played the part merely of leaders of an outrageous mob. Mr. John Wood, the colleague of Hunt in the representation for Preston, when presenting a petition from Manchester which prayed the House to refuse the supplies, and described the majority of the peers as “a small number of interested individuals,” said, “It was obvious to all, that his Majesty, in an evil hour, had yielded to some malign back-stairs influence, and whether that influence had been exercised by man or woman, was of no consequence. Could his Majesty remain chief magistrate of this country with the assistance of the boroughmongering faction? If his Majesty thought that faction

could any longer carry on the government, he was mistaken; the attempt to do so would lead to that faction’s being scattered to the four quarters of the globe.” A member for Carlisle, Mr. James, assured the House he had heard that the duke of Wellington was to be the minister, that parliament was to be dissolved, and that the country was to be subjected to a military government. He knew, that if, in support of the boroughmongering faction, the soldiers should forget their duty as citizens, still that would not be of the slightest account; for he knew that cannons and swords, and guns and bayonets, and even dungeons, could not compel that House to vote supplies for the support of the army. Neither could the people be prevented from resisting the payment of taxes; they were not obliged to pay in money, and who would buy goods distrained for them? It might, perhaps, be very fine amusement for those who were around him, and who were of the rotten borough faction, to join the army and volunteer to butcher the people. A Mr. Gillon, member for some Scotch borough, declared that he himself was determined, until the bill passed, not to pay one farthing of taxes.

The knowledge that Lord Lyndhurst had been sent for to the King, and that, in consequence of that interview, the Duke of Wellington had been with his Majesty, produced in the House still more violent abuse. The ministerial members assumed, that his Grace, and his party, were willing to abandon all their former hostility to the bill, to adopt it as the means of getting into power, and carry through, ministers, a measure which they had so long resisted as fatal to



the monarchy. Such conduct, they maintained, would be a glaring breach of public morality; it would be accepting infamy for the sake of power. Such men never could be trusted; for no pledge they might now give to carry the bill, could be stronger than the repeated pledges which they had already given to resist it to the utmost. In their hands, covered as they then would be with the disgrace of being utterly unprincipled politicians, even the unaltered bill itself would no longer have the same healing influence. It would be received by the country, not as a blessing and a boon, but as an insult and a provocation. Nor did even all the opponents of the bill dissent from this opinion. Sir Robert Inglis said that, understanding, as he did, that the concession of the greater part of the reform bill was to be a condition of the acceptance of office, he did not think that any man, who had seriously opposed the bill, could hold office with honour; and if the Duke of Wellington, after leading the attacks against the bill, and after the protest which he had put on the journals of the Lords against the second reading, should now take office to maintain it, he certainly would not be entitled to support on the score of consistency.

In such circumstances, when the House of Commons had already bound themselves by a vote from which they could not honourably recede, and when day after day, the reforming press and the political unions, were waxing more daring and extravagant, the formation of a ministry, which might be able to conduct the government, while it modified the bill, became impossible. On the 9th of May,

the King, so soon as he had determined to accept the resignations of Earl Grey, and his colleagues, sent for Lord Lyndhurst, who seemed to him, as having been his last chancellor, the most fitting person to whose advice he could have recourse. He stated to his lordship the embarrassing circumstances in which he found himself placed, in consequence of the unprecedented conduct of his ministers, desired him to inform himself of the state of parties as to the advice which his Majesty had rejected, and authorized him to communicate with the persons whom he might think most competent to advise. Lord Lyndhurst immediately waited upon the Duke of Wellington. His Grace was willing to make any sacrifice, and encounter any degree of obloquy, which might extricate his sovereign from the embarrassment produced by the demands and resignation of the ministers. "I should be ashamed to crawl about this metropolis, if, under such circumstances, I did not go to the King," were the first words of his Grace, on learning the difficult position in which the King stood. He desired no office, much less that of prime minister; but, if necessary to the King's service, he would serve in any way that would be for the benefit of his Majesty. From his grace of Wellington, Lord Lyndhurst repaired to Sir Robert Peel, to whom he made a similar communication. No offer was, or could be, made, as Lord Lyndhurst had not been appointed to form a ministry: but Sir Robert Peel was asked, whether he would accept the office of prime minister, on the clear understanding that he must carry through a measure of extensive reform, in fulfilment of his Majes-

ty's declaration? Sir Robert Peel answered, that by an extensive reform he assumed to be understood all the main principles of the bill; and that, under such a condition, it was impossible for him to accept of office, in which, hostile as he had been, to the very last moment, to every plan of extensive reform, he felt that he could be of no benefit either to the King, or to the country. Lord Lyndhurst communicated the nature of his commission to a few other influential persons; and the result was, that the king desired him to request the duke of Wellington to wait upon his Majesty on Saturday the 12th, before which time the House of Commons had come to that vote on Lord Ebrington's motion which rendered altogether insurmountable obstacles which could not easily have been obviated under any circumstances. The new ministry was necessarily to be sought among the enemies of the bill, whether they were its absolute or its modified opponents. To the general feeling of consistency, and to the wish that, since a measure must be carried, the responsibility should be left undivided with those who had proposed it, was now added the knowledge that office would be accepted in defiance of the House of Commons,—a House of Commons, too, elected in circumstances, and animated by a spirit, which left no chance of receding, and maintained by, as itself fostered, a state of increasing public excitement which furnished no ground to believe that a dissolution and a new election would mitigate its temper.

The Duke of Wellington, when applied to by Lord Lyndhurst, made similar enquiries in other quarters. He found that there was a

large number of influential persons willing to support a government formed for the purpose of enabling the King to resist the advice which had been tendered to him. He then repaired to the King. His advice to his Majesty was, not to make him his minister, but to select certain persons whom the duke named, from the House of Commons. For himself no office was asked or mentioned. The King stated distinctly, that any new ministry must assume the government on an understanding of carrying through "an extensive reform." His grace found, however, that though many leading men in the House of Commons entertained a strong opinion against the creation of peers, there was an equally strong impression among those to whom he applied, as likely to be useful in so critical an emergency, either that they ought to have nothing to do with even a modified bill, or that no ministry would be supported by the lower House, or by the country, which did not undertake to carry a measure of reform no less searching and efficient than the existing bill. He was, therefore, under the necessity of communicating to his Majesty on the 15th, that the commission with which he had been entrusted had failed: and the King was reduced to the humiliating necessity of renewing his intercourse with his former ministers.

On the same evening, earl Grey announced in the House of Lords that he had that day received a communication from his Majesty, too recently, however, to have allowed it as yet to be followed by any decided consequences. Both Houses adjourned till the 17th. On the latter day, the duke of Wellington and lord Lyndhurst gave, in the

House of Lords, all the explanations they had to give regarding the attempt to form a new ministry, and which had made them, during a whole week, the chosen objects of declamatory vituperation, not less in the House of Commons than in the bear-gardens of the Political Unions. "When his Majesty," said his grace, "found that he could not, consistently with his duty to the state, follow the advice of his confidential servants, so little communication had he with public men other than his responsible advisers, that he had recourse to a nobleman, whose judicial functions took him almost out of the line of politics, to inquire whether means existed, and what means, of forming an administration on the principle of carrying into execution an extensive reform. That nobleman then communicated to me the difficulties in which his Majesty was placed, in order to ascertain how far it was in my power to assist in extricating him from it. With this view, I thought it my duty to institute similar inquiries of others, the rather as I was myself as unprepared, as his Majesty, for the advice which his ministers had tendered, and for the consequences which had ensued from its being rejected. On inquiry I found that there was a large number of most influential persons not indisposed to support a government formed to aid his Majesty in resisting the advice tendered to him by his late ministers. Under this conviction I attended his Majesty; and my advice to him was, not that he should appoint me his minister, but certain members of the other House of Parliament. So far from seeking for office for myself, I merely named those persons whom

I thought best qualified for his service; adding, that, for my own part, whether I was in office or out of office, he and those persons might depend upon my most strenuous support. The object of this advice and tender of assistance was to enable his Majesty to form an administration upon the principle of resisting the advice which he had just rejected. These are the first steps of the transaction, and I believe they show, that, if ever there was an instance in which the king acted with honesty and fairness towards his servants, and if ever there was an instance in which public men, opposed to those servants, kept aloof from intrigue, and from the adoption of all means except the most honourable, in promoting their own views of the public weal, this was that individual instance; and I will add, with reference to myself, that these transactions show that, so far from being actuated by those motives of personal aggrandizement, with which I have been charged by persons of high station in another place, my object was, that others should occupy a post of honour, and that, for myself, I was willing to serve in any capacity, or without any official capacity, so as to enable the crown to carry on the government. And here I beg your lordships to examine a little the nature of the advice which his Majesty had rejected, and which I considered it my duty to assist him by every means in my power to resist effectually. Ministers found, in the course of last session, that a large majority of your lordships were opposed to the principle of the reform bill. What should be the ordinary course of proceeding under such circumstances? Why, either to abandon the measure

altogether, or make such alterations in it as might render it palatable to the majority of its opponents. But was this the course pursued by the noble earl? So far from it, he emphatically declared that he would not consent to the producing of a measure of less efficiency than that which your lordships had disapproved of; and in point of fact, the noble earl has brought in a bill stronger, and, I do not hesitate to say, worse than the obnoxious measure which you so emphatically rejected, and which he could and can hope to force through this House only by an arbitrary and a most unconstitutional creation of peers. If any man will maintain that this is a legal and constitutional line of proceeding, I can only say that my notions of what is legal and what is constitutional are, and I trust always will be, very different; that if the advice were to be adopted, it would place it in the power of a minister to carry any measure he pleased, and by what means he pleased, with impunity; and that, from that moment, the constitution of this country and this House would be at an end. In such a case, I repeat, the object and power of this House would be at an end, its deliberative character totally destroyed, and, as a consequence, it would not possess the means of arriving at an honest decision upon any public question. And allow me to observe, that, in my opinion, a threat to carry into execution such an unconstitutional mode of adding to the numbers of supporters of a particular minister in this House, providing it has the effect of inducing a number of your lordships to abstain either altogether from attending their duties here, or from offering a decided

and uncompromising opposition to a measure which they honestly believe to be mischievous in its tendency,—the threat is as bad, in point of fact, as the execution. Such a threat is tantamount to forcing the decisions of this House, when it is plain that a majority is decidedly indisposed to adopt the measure which the utterer of the threat may persuade himself would be beneficial to the country. It is true that many well-disposed persons may be induced by it to adopt a middle course, under a persuasion that they thereby avert the greater evil of a creation of some fifty or 100 peers; or, perhaps, many may be induced by it to adopt the obnoxious proposition of the noble earl, were it only to save his Majesty himself from the painful consequences of either rejecting or adopting the counsel of his responsible advisers. But is this free and independant deliberation? Is not an unbiased decision, under such influences, wholly impracticable? Therefore I was anxious to assist my sovereign in rejecting such dangerous counsel; and I do not hesitate to add, that he, who would not have acted as I did, would be a party to destroy the legislative independence and constitutional utility of the House of Lords. His Majesty insisted that whoever should undertake the management of affairs should do so on an understanding of carrying an “extensive reform” (I quote his Majesty’s own words) “in the representation of the people in parliament.” Now I always have been and still am of opinion that no measure of reform is necessary, and that the measure before the House was calculated to injure, if not destroy, the monarchical institutions of this country; but I

stated on the last occasion when I addressed your lordships on the subject, that though this was my own conviction, I should endeavour, as the principle of the bill had obtained the sanction of a numerical majority, honestly and fairly, in committee, to make such amendments as would enable the government to meet, and, if possible, overcome the difficulties and extraordinary circumstances which the bill must, in my mind, give rise to. Gladly would I reject it altogether in its present shape. But that was not the question between me and my sovereign. I was called upon by his Majesty not to act upon my own particular views of reform, but to assist him in resisting the adoption of an advice which would overthrow the House of Lords and the monarchy, and in carrying an extensive measure of parliamentary reform through this House, without having recourse to the unconstitutional exercise of the prerogative suggested by his late advisers. It therefore became a question, what parts of the bill might be retained with comparative safety, and which this House might rationally expect would, when sent down to the House of Commons, receive the sanction of that branch of the legislature. It was under these circumstances and upon this understanding that I consented to give my assistance to his Majesty to form an administration. I know many are of opinion that I should have acted a more prudent part, and one more worthy of a man who kept ulterior considerations in view, and who, mindful of his former opinions and pledges against reform, looked only at consistency, if, regarding nothing but personal considerations, I had

refused to have any thing to do with the formation of a government bound to undertake an extensive measure of reform. But were our positions similar? Such persons were, and are, responsible only to themselves, and for themselves: I was called on to rescue my sovereign from the embarrassment in which he was placed by his own servants. When his Majesty did me the honour of commanding my aid to enable him to resist a most pernicious counsel, if I had answered, "I see the difficulties of your Majesty's situation, but I cannot afford you any assistance, because I have, in my place in parliament, expressed strong opinions against a measure to which your Majesty is understood to be friendly," I should have been ashamed to show my face in the streets. No, I adopted the course which I am sure would have been that of the veriest enemy of the bill—I endeavoured to assist the king in the distressing circumstances in which he was pleased to call for my advice. I repeat, that the question which I was called on, by the king, to consider, was not the practicability of forming a ministry on my own personal views of reform, but to enable him to resist the creation of a multitude of peers for a most unconstitutional and dangerous purpose; and the consideration uppermost in my mind was, how far the recommendation in his Majesty's speech from the throne in June 1831, could be acted on without danger to this House and to the monarchy. In that speech the king recommended the question of reform to your attention, "confident that in any measures you may propose for its adjustment, you will carefully adhere to the acknowledged principles of the



constitution, by which the prerogatives of the crown, the authority of both Houses of Parliament, and the rights and liberties of the people are equally secured." Who that heard that speech could ever have anticipated the proposition of a measure, or an advice in relation to that measure, which annihilated the independent authority of one of the branches of the legislature? The number of peers whom it would be necessary to create, to carry the reform bill as it now stands, would, at the lowest calculation, amount to an hundred; and surely any man who foretold, that the measure referred to in that speech put into the mouth of his Majesty, was one which would require such an immense augmentation of the peerage, would have been considered as dreaming of things impracticable. When I first heard that ministers had such a proceeding in contemplation, I treated the rumour as an absurdity. I believed not that a minister could be found wicked enough to propose such a measure. Many know well, that I have ever denounced it as an impossibility; and while no man entertains a more deep sense of the constitutional right of the crown to create peers, under certain circumstances, I hold it would be an unjust and unconstitutional exercise of that prerogative to create a body of peers for the purpose of carrying some measure obnoxious to the House of Lords at large. It was to enable the crown to resist the application for so unconstitutional an exercise of prerogative, that I consented to assist in forming an administration on the principles I have stated. When, however, I found, from the tone and result of the discussion which took place in the other

House of Parliament on the resignation of ministers, and from the opinion of many leading men in the House of Commons, who were strenuously averse to a creation of peers, that no government could hope to gain the confidence of that House which did not undertake to carry through a reform as extensive and efficient as that now on the table, I had to inform his Majesty that it was not in my power to fulfil the important commission with which he had honoured me."

Lord Lyndhurst confirmed his grace's statement, so far as concerned his lordship's connection with the negotiation, which seems to have been extremely slight. His Majesty, he said, had commanded his attendance immediately after accepting the resignation of ministers—an honour which he had not expected, as, for a long period, he had not had any personal communication with the King. His Majesty told him he had sent for him as his former chancellor, to consult him under the embarrassing circumstances in which he was placed,—desired him to inform himself of the general feeling, and the state of parties with respect to the advice which had been tendered—and gave him permission to communicate with the persons whom he might think the most competent advisers. He immediately waited on the Duke of Wellington, and explained what had passed. His grace promptly said, that that there was no sacrifice which he was not ready to make, no obloquy that he was not willing to incur, no misrepresentation that he was not prepared to disregard, to rescue his sovereign from the embarrassing and humiliating situation in which he was placed, by those on whom



he had lavished favour and confidence. He next communicated the nature of his commission to other influential public men, in all about six persons. The result was, that, through him, the duke of Wellington was requested to wait upon his Majesty. "And here my mission ended. This is the head and front of my offending. And for this have I been traduced and calumniated, not merely in the highways by the ignorant, but in the other House of parliament, by persons of high station, and holding the position of gentlemen. For this have I been slandered throughout the country by the periodical press which now reigns paramount over the legislature and the nation, and in defiance, if not with the connivance, of the public authorities, flings its calumnies without respect for age, sex, or station. So far as I myself am concerned, I despise these calumnies. They may wound, however, the feelings of those allied to me by the dearest ties, and so far they are a source of pain to myself; but, apart from the feelings of others, I hold them in the utmost scorn." He would not so treat, however, a charge which Sir Francis Burdett had brought against him in the House of Commons—that in obeying the commands of the king in the manner which he had just stated, he had been "guilty of a gross dereliction of his duty as a judge." That was not true. As a judge, he was a member of the privy council; and by his oath as a privy councillor he was bound, not only to tender to his Majesty his best advice regarding matters of public interest when called upon to do so, but even to volunteer that advice, when he saw the safety of the throne, or the welfare of the

country, in peril. By uttering such rash assertions, that accusing baronet had only betrayed his utter ignorance of the judicial functions. It had been, and it still was, his deliberate conviction, that this bill, if passed into a law, would be destructive to the constitution and the monarchy; and this being his firm and slowly-formed conviction, was he not bound, as a subject attached to his country and its institutions, as a judge, as a privy councillor, and as a member of that House, to employ his best energies in saving the constitution and the monarchy from menaced ruin. "Reform, my lords has triumphed. The barriers of the constitution are broken down. The waters of destruction have burst the gates of the temple, and the tempest begins to howl. Who can say where its course shall stop? Who can stay its speed?"

The earls of Mansfield, Carnarvon, and Winchilsea, the marquis of Salisbury, and other peers declared, that though they had in no way been connected with the transactions which had been explained, the conduct of the duke of Wellington had been high-minded, and disinterested, and not the less so for having submitted, without reply, to the unmeasured calumny and misrepresentation heaped upon him daily, rather than impede the formation of a government. He had been hunted down, day after day, because he had dared, forsooth, to become minister; when it turned out, in point of fact, that he had neither accepted, nor sought office, though it was within his reach. The earl of Haddington said, that he had never been a partisan of the duke. As far as there had been an opposition to his grace, he might be said to have

belonged to it, and he had never formed any connection with him. But he felt he should be acting a base part, if he did not state in the face of their lordships and the country, however such a declaration might expose him to obloquy and abuse, that his grace was entitled to the gratitude of their lordships for doing what he had done.

Although, for a whole week, ministers and their adherents in the House of Commons had been attacking, and that with no very measured violence, the conduct of their adversaries who were supposed to be engaged in the attempt to construct a new government—although during all that time they had been descanting on the invaluable properties of the bill as the saviour of the constitution, and had not only lauded, but had obtained a vote justifying the extreme measure of creating a new House of Peers to put down the old one, Earl Grey now expressed “his surprise,” that the duke of Wellington and lord Lyndhurst should have indulged in “violent invective against the reform bill and ministers, and “dinned their lordships’ ears” with denunciations of this extreme measure, and with declarations that the bill, instead of saving, would tend to the destruction of that House and of the monarchy. He begged to remind them there were dangers, not imaginary or hypothetical, but substantial and imminent, both to that House and to the monarchy, to be apprehended from proceedings which would at all tend to a collision between the hereditary and representative branches of the constitution. “When the bill,” continued his lordship, “came into committee, it was hoped that your lordships would consent to pass it without

alteration in principle, and without any changes in detail which would make it impossible for me and my colleagues to consent to proceed with the measure. But on the very first clause a motion was made, which some noble lords affect to consider as of trivial importance, but which, in my opinion, proved such a disposition in its opponents, and which appeared to me so prejudicial to the bill, that it was impossible for me to go further deluding the public with a vain expectation of success, and opening up fresh ground for irritation in every step of the committee. It was then to be considered by ministers what course they must adopt, and but two alternatives presented themselves,—either at once to abandon the bill, or to recommend the sovereign to enable the government to take such steps as would put them in a situation to carry it. We adopted the latter course, and did offer to his Majesty that advice which we deemed the exigency of the case to require,—advice which the noble duke has this night arraigned so strongly. The noble duke not only censures the advice, but complains that the making of peers was used and acted on by us as a threat. I am not aware that I am liable to that imputation, nor am I aware that, when pressed and goaded for a declaration on the subject, I ever uttered a single syllable relative to it except once, and that was to the effect that I felt as much opposed to such a measure as any man, except in a case of necessity, which might justify the exercise of the royal prerogative with a view to prevent a collision between this and the other House of parliament. In my mind such a case has arisen ; and the situation in which minis-

ters were placed was this, that we must either abandon the bill at once, at the risk of such consequences as I have alluded to, or give advice to the crown to prevent a collision, in which, I openly declare, if this House shall at any time be unwise enough to commit itself, the issue will hardly be satisfactory to your lordships. The measure recommended by ministers after the late division, stood on the ground of enabling us to carry a bill, the rejection of which by your lordships puts us in direct opposition to the other House of parliament, and to the country. On these grounds the advice we tendered to our sovereign was absolutely required by the circumstances of the case; under these circumstances it was constitutional; and I can refer the noble and learned lord to books on the constitution, in which he will find that this prerogative of creating peers was given to the crown in order to counteract the serious evils that might arise from this House placing itself in opposition to the remaining estates of the realm. My lords, but for the existence of this prerogative, your proceedings would be without control, while upon all other branches of the legislature salutary checks are imposed. The Commons possess a check upon misconduct in the crown, in its power of stopping the supplies: a check upon factious conduct in the Commons resides in the king's power to dissolve the House. Were the lords alone to be exempt from control? Should this House combine, in some purpose adverse to the crown and House of Commons, and should it be able to hold out in its determination, no power existing to check its proceedings, then is this no

longer a government of King, Lords, and Commons, but an oligarchy ruling the country. On the grounds stated, we gave the advice which we conceived we were bound in duty to offer, and prepared to take the consequence of its rejection by resigning office. There was nothing improper or inconsistent in ministers offering their resignation, and they cannot be justly reproached with a dereliction of duty, because they did so. If I could be guilty of an abandonment of the interests of my sovereign, I should be the most ungrateful man alive, for never did subject owe more to sovereign than I do to his Majesty, for his extraordinary and gracious kindness and candour during the whole time I have had the honour to be in the service of the crown. And when the noble lord adverts to attacks made on the sacred person of Majesty, I assure him it is impossible for him to regret such attacks more than I. I beg him to believe they have had no countenance from me: on the contrary, I entertain the strongest sense of their injustice; and I would add my deep conviction that his Majesty, in the step he took, was solely actuated on this, as he has been on every other occasion, by a sense of duty. More than this I do not think it right to say on the subject, because to go into details of what may have passed confidentially between a king and his minister, (however it may be desired in some quarters,) I do not consider consistent with a minister's public duty, especially so long as the royal permission has not been obtained to make disclosures; and I may add, I do not think such explanations consistent with the public interest. I have received, as I formerly stated, a

communication from his Majesty since the resignation of the commission held by the noble duke for forming a new administration, but I am not prepared at this moment to state the result of that communication. All I can state is, that my continuance in office must depend on my conviction of my ability to carry into full effect the bill on your lordships' table, unimpaired in principle and in all its essential details." To this the lord Chancellor added, "considering the absolute necessity, in the present state of the country, of passing this measure, we shall not again return to office except upon the condition, not only of our possessing the ability to carry the bill efficiently through this House, but also that we shall be able to carry it through with every reasonable despatch consistently with the due discussion of its various provisions."

The earl of Mansfield said, that the attempted vindication for creating 100 peers was made by ministers to rest on this, that the peers would have made amendments, or alterations in the bill, to which the Commons would not have acceded—that the two Houses would thus have been placed in collision—and no alternative remained but a creation of peers. Nothing could better show how utterly unjustifiable and reckless the whole proceeding had been; for thus, this advice which was to degrade the peers, and the resignation of ministers to raise an outcry which should coerce both the crown and the peers, proceeded upon two hypothetical suppositions, neither of which had occurred. How did ministers know in what shape the bill would come forth from the House of Peers? How could they tell what alterations would there

have been made?—and being ignorant of that, how could they foretell what the House of Commons would do? But suppose the bill had been so altered that the Commons rejected it, even then the time was not arrived for so extreme a measure. He would freely admit, that the voice of the people had returned the present House of Commons, and that so far the country had decided in favour of reform; but he would deny that the country had in that way decided in favour of the late reform bill, much less in favour of the present bill, as it was not acquainted with its provisions. There was, therefore, the alternative of resorting to the sense of the country in the case stated by the noble earl, and the country would be thus afforded the opportunity of manifesting whether its sense was in favour of the bill as amended by their lordships, or in favour of the bill as originally introduced by the noble earl. To that alternative ministers were bound to have resorted, before proposing to his Majesty to create a number of peers. Above all, to make such a proposal on the mere hypothesis that such and such alterations would be made by the Lords, and would not be agreed to by the Commons, without even waiting to see whether either of these events actually occurred, seemed to justify a belief that this proposed creation of peers had some object ulterior to the passing of the present bill. That, to be sure, was the ostensible purpose for which they would be created—that was the reason which at present would be assigned in justification of their creation; but the real object and view in their creation would be, to give to one party in that House an overwhelm-

ing majority on every question, and to reduce the House to a state of virtual dependence upon that party.

The marquis of Clanricarde, and the earl of Mulgrave, contended that earl Grey, in the advice which he had given, had done nothing but what was constitutional and necessary for the tranquillity and safety of the country. He had held office with honour to himself, with the approbation and love of his country, and with the confidence of his King; and had retired from it, still honoured with the kindest expressions from his sovereign, and with nothing on earth against him but the very party who had so long held office, and who could not form a government to succeed him, not because there was any want among themselves, but because they had no stay in the country. The earl of Mulgrave said, that if the duke had assumed the reins of government, and brought forward a measure of reform, he would have stood up in his place in that House with the noble duke's protest in his hand—the noble duke should have heard it all paragraph by paragraph, and he doubted not but that noble duke would have found that the cheers of those by whom he was surrounded would have become silent and have failed on the contents of that protest being read. On the other hand, the marquis of Salisbury did not hesitate to describe the advice which ministers had given to the King as being treasonable, and one which, in other times, would have been followed by impeachment.

The earl of Carnarvon, if he could venture to make any comment on the reasons assigned for the proceedings of ministers, would

say that they had hurried on in their violent course, because they feared that if their opponents, the principle of reform being carried, were permitted to introduce their measures, not all the power and influence of ministers could have produced a collision between the two Houses. The very colleagues of earl Grey had stated in another place that they regarded the only vote to which their lordships had come in committee as a matter of indifference, while in this House it was treated as a violent collision requiring the application of a far more dangerous remedy. Ministers were bound to have first ascertained what the committee really would do. They knew that no one act in committee was definitive, and they ought to have waited to have seen what amendments were made, and then it would have been time enough, if they thought the amendments tended to endanger the safety of the crown or of the state, to have called on his majesty to exercise his prerogative of creating peers. Such, however, had not been their course; for they well knew, if their opponents had been permitted to bring forward their amendments to the provisions of the measure, neither in the House of Commons, nor in the country, would they have been able to keep alive the agitation which was the object of their administration. He could not but think that a cessation of agitation was not desired; for in no other state of the country than that of irritable excitement would any minister avow such a proposition as that which had been made to his Majesty. He was sure that no Englishman, a friend to reform, would endure the thought that the King, himself a reformer,



though wishing for a modification of the bill now on their lordships' table, and anxious for conciliation, should be pressed to a violation of his royal prerogative. If the ministry had sought an abstract promise from his Majesty to create as many peers as they might think necessary to secure the success of their measure of reform, was such a demand any thing less than seeking to put the crown of these realms in commission, and to make the noble earl opposite first commissioner? and this demand, too, made to secure the passing of a measure, the object of which was to abolish all corrupt proprietary boroughs, while the framers of that measure would make the House of Lords a most abject corrupt borough, in the hands of the lord Protector. He conceived the question between the minister and his Majesty at present really to be—is William IV. King of these realms, or is the noble earl opposite the lord Protector? A more deliberate insult had never been offered by any minister to an independent legislature since Cromwell ordered that "that bauble (the mace) to be removed?" If such a course of conduct was to be pursued or continued, he should feel it his duty to move, that in their lordships' House, too, the bauble should be taken away; for he thought, that instead of the present accompaniment of the noble and learned lord on the woolsack, the cart-whip of the slave-driver would be better calculated to awe into control such an assembly as their lordships' House would be, if the degradation proposed was really inflicted upon it. It was his duty, as the continued day for the committee had been fixed on his motion, now to get rid of it. "I therefore move, that the order of

the day for the committee on the reform in parliament bill be discharged, and thus I leave it to other noble lords to do their dirty work." The order was accordingly discharged.

A good deal of angry and desultory skirmishing of the same kind occupied the House of Lords on the following day (May 18). If ministers were to continue in office, it was to be only to carry the bill untouched. They could do so only in one of two ways, either by creating new peers, or by prevailing on the opposition peers to absent themselves from the House, to remove the pretext for a creation. The earl of Harewood asked earl Grey, whether it was yet settled that ministers were to continue in office? On the answer to that question depended the line of conduct which he would adopt. Earl Grey answered, that, in consequence of his having received the King's request to that effect, and in consequence of now finding himself in a situation which would enable him to carry through the bill unimpaired in its efficiency, he and his colleagues continued in office, and he therefore moved, that the committee on the bill should be taken on Monday. The earl of Harewood then continued, that he had understood the continuance of earl Grey in office to depend on the power he should receive to carry the reform bill, a power which might be conferred by the creation of peers, or by the act and will of individual lords in seceding from their opposition to the bill. Lamenting as he did the existence of the alternative, because he saw in it an end to the independence of the House—he might add, of the independence, nay, of the existence, of the crown, and an end of the



liberty of the subject,—he still found it his duty, in a choice of evils, to select the lesser. By continuing his opposition to the bill, he might be contributing his mite to overturn for ever what was left of the constitution. He had opposed the bill on the second reading, because he thought the measure too extensive, and he would likewise have opposed many of its details in the committee. But here was another state of things; and when he saw an act of gross injustice and oppression urged upon his sovereign, what was he to do? Was he to pass the reform bill, or to assist in the completion of a still greater calamity? He thought the wiser course would be, to withhold farther opposition to the bill, rather than render that calamity unavoidable; for over the crown's prerogative, and earl Grey's advice in regard to it, he had no control. But though he adopted this course, let it be understood that he took it by compulsion, and with a feeling that he never again would enjoy an opportunity of uttering in that House one word in an independent form. Bidding farewell to freedom of debate, let those who had brought this infliction on the country be responsible for their acts, when the nation came to its senses. Not for any slight alteration in the bill would he longer struggle, or impede the return of the country to a sound mind; for so long as the present phrensy continued, neither reason nor sense could have way. The earl of Winchilsea, on the other hand, while he admitted that the independence of the House was at an end, and that their lordships might now well be pointed at with scorn, as belonging to a body which went through the mockery of legis-

lative functions, while it was denied all legislative power, expressed his determination still to offer to the bill every possible opposition.

Although earl Grey had stated, that he now felt himself assured of being able to carry through the bill unmutated, he had not stated in what shape this power had been conferred. Lord Wharncliffe, conceiving that before any peer could decide on the course he would adopt, it was necessary to know something more as to the situation in which the House was to be placed, inquired whether their lordships were to understand that there was to be a creation of peers, or not—were their deliberations to be carried on under the immediate threat of a creation of peers, in order to secure and carry the bill?—or did the expression, that the bill must be carried unmutated through their lordships' House owe its origin to the supposition, or was it founded in the belief, that a certain number of peers would absent themselves from this House on the occasion of the discussions that might ensue upon the bill? Earl Grey answered, "I do not feel myself called on to answer the questions which have been put to me by the noble baron. I have already stated to your lordships that I continue to hold office under the confident expectation, that the bill will be successfully carried in its future stages through this House. I do not conceive that the noble lord has any right to call on me for any further explanation, and I will add, that I wish to be bound only by what I state myself."—Lord Wharncliffe then said, that he would come to no conclusion as to the course he should take, until he knew a little more clearly the real position in

which their lordships were placed. The noble earl opposite had no right to call for any statement as to the course his opponents meant to pursue, when he hesitated to communicate his own. He would make no pledge as to his line of conduct, until he knew that intended to be pursued by the noble earl opposite. Much had been said of revolution ; but what revolution could go beyond that which had taken place within the last few days? A question is brought forward, not merely affecting the House of Commons, but their lordships, both individually and collectively. A bill is sent up to their lordships to deliberate and vote upon it. They think fit to differ from the opinion of his Majesty's ministers, who are left in a minority. The ministers offer their advice to the Sovereign, which advice is refused, and the result of such refusal is the resignation of the ministry. A new ministry cannot be formed to carry such a bill, and the former ministry still force their advice upon the Sovereign, by which they seek to carry their measure. Could any man doubt but that a measure so carried and made the law of the land would be so against the opinion of the House of Peers, and of the crown? Such, however, was the case. The blow had been struck. The power of the state was now lodged in the House of Commons. Their lordships were now to be told, "if you do not pass such bills as the other House of parliament send up to you, a creation of peers shall take place, by which your opposition shall be overpowered." After this much had been achieved, it would remain to be seen how long monarchy would maintain its stand. The earl of Carnarvon repeated

lord Wharncliffe's question, whether it was intended to create peers? The minister replied, "That is a question which the noble earl has no right to put, and which I certainly will not answer."

The motion for going into the committee on Monday was agreed to. But although ministers refused to give any answer to the question, whether they had received power to create peers, if necessary to carry through whatever they might think the essence of the bill, it was soon known that this power must have been assured to them, at least, as an alternative of another expedient. Sir Herbert Taylor, in the name, and by the authority of the King, wrote a circular note to the opposition peers, stating his Majesty's wish that they should facilitate the passing of the bill by absenting themselves from the House when any important part of the measure, to which they could not consent, might be under discussion.\* Such a request, coming from such a quarter, was not only weighty in itself, but necessarily implied, after all that had taken place, that his majesty desired it as the only means of avoiding the creation of a large number of peers. The opposition lords, that is, the majority

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\* The circular was the following :

" St. James's Palace, May 17, 1832.

" My dear Lord,—I am honoured with his Majesty's commands to acquaint your Lordship, that all difficulties to the arrangements in progress will be obviated by a declaration in the House to-night from a sufficient number of peers, that, in consequence of the present state of affairs, they have come to the resolution of dropping their further opposition to the reform bill, so that it may pass without delay, and as nearly as possible in its present shape.

" I have the honour to be,

" yours sincerely,

" HERBERT TAYLOR."

of the House, were thus compelled to make their choice, either to see 100 members added to their number, in order to carry a particular measure, or to abandon, for a time, their rights and duties as legislators. They adopted the latter course, following the example of the earl of Harewood, although deeply feeling, as the duke of Wellington had said, that a threat producing such effects was as bad as if the threatened measure had been carried into execution. During the remainder of the discussions on the bill, not more than between thirty and forty attended at any one time. The bill was thus carried by a threat to create peers. The King and the lords were equally opposed to this extreme measure; but both were compelled to give way before the other branch of the legislature, the House of Commons. Whatever might be the result when the House of Commons should be rendered more democratic, this much, at least, was already ascertained, that, when governed exclusively by the democratic spirit, it imposed plain and undeniable coercion equally on the crown and on the peers.

In the House of Commons an announcement, similar to that which earl Grey had made in the House of Peers, was made by Lord Althorpe. It prevented the moving of another address to the king which lord Milton intended to have brought forward, and furnished to sir Robert Peel an opportunity of explaining the share he had borne, or rather his want of any share, in the negotiations for forming a new ministry. He stated that, on the day on which the resignation of ministers had been accepted, lord Lyndhurst had called upon him, and stated to him, not that his

Majesty had applied to him to form an administration, but that his Majesty had selected him as a former chancellor, and as being, by his judicial character, removed from the vortex of politics, to confer with him upon the present state of affairs. His lordship then asked him, whether he felt it would be in his power to enter into his Majesty's service at the present moment? stating that his Majesty felt embarrassed by the unexpected resignation of ministers, upon his refusal to create peers; and that the only other person to whom he had made this communication was the duke of Wellington, who was willing to render any assistance in his power to his Majesty; that the noble duke did not wish to hold office, but that he would take and serve in any, if it were for the benefit of his Majesty. Although no formal communication had been made to him, yet, as he knew not the use of reserves, he still thought it right to state, that the question was put to him, whether or not he would accept what, in political life, was usually called the highest object of ambition. It was notified to him, that the acceptance of office must be with the clear understanding that his Majesty's declaration with respect to reform should be carried into effect, and that the condition of the acceptance of office was to be the carrying through an extensive reform. He replied to lord Lyndhurst, upon the impulse of the moment, but not less also upon the impulse of feelings which it would be impossible for the authority, or the example of any man, or any set of men, to weaken, and on which no reasoning could produce a contrary decision, that it would be utterly impossible for him to accept office. He said

to his noble friend, that in the present state of affairs he considered extensive reform to mean the leading provisions of the reform bill—he did not say all of them, but all the main principles of the bill. He then said that he must decide for himself on the instant, and on a view of the peculiar situation in which he stood,—that he felt the difficulty of the position in which the king was placed, and that he was most anxious to do any thing which would remove that difficulty; but he also felt that, if he accepted office without a light heart, a firm step, and an unrepining conscience, he could render no benefit either to his sovereign or the country. That the situation of difficulty he was placed in on account of his deep feeling on this subject was such as no public man had ever before experienced, he believed no one in that House would deny. He had been the inveterate enemy of all extensive reform; he had objected to the principles of the bill, some of the provisions of which he had declared to be fraught with injustice,—and he had stated that to the principles and details of the bill he would to the last offer his decided resistance. He had often stated these his principles; and to those with whom he acted he had made an early declaration of his opinion that he must take such a part upon the reform bill, as would preclude him from the possibility of taking office. Having clearly done this, he would then ask every member of the House, whether, out of its 658 members, he ought to be the man to stand in lord Althorpe's place, and advocate its provisions? If it were necessary that there should be a mediator between the hostile parties, was he the proper

person to hold that situation, who had been himself one of the contending parties? Was it likely, that if important modifications were to be introduced into the bill, he could persuade that majority to which he had been opposed to accede to these modifications? He would therefore ground his vindication of the course he had pursued, if vindication were necessary, on the peculiar position in which he stood. He was far from impugning the motives of others who had been willing to act in this way, for he believed that those, who were, at such a crisis as the present, willing to devote themselves to the service of the crown, were actuated by the highest, most honourable, and most disinterested motives. Their reasons for following this course would be, that they should fall in their own esteem, if they did not make that sacrifice; so, on the other hand, his reason for his conduct was, that he could not, consistently with a feeling of personal honour, consent to accept office. It was impossible that he could stand in any situation which would allow him to propose the passing of that bill; because he should suffer in his own self-esteem, without rendering any advantage to the country. There was this additional reason why he should not come into office—namely, that he did not believe it would be for the benefit of the king's service. With regard to the English bill, the difficulty in that House was over; but at all events, there would be a great difference between the proposer and mover of the bill and the adopter of it. But with respect to the Scotch and Irish measures against whi

given his pronounced and decided opinion, particularly the Irish bill, and it was therefore utterly impossible that he could come into office for the purpose of passing them. With respect also to reform generally, it would be difficult to carry into effect the reform bill with such alterations as he should deem necessary for the public welfare,—alterations which might be easily effected by those who had originated it. Modifications might be introduced by ministers, and he trusted they were now in a situation to carry such as would allay the alarm felt by many; but from him they would not be accepted by the country as being either beneficial or final. He believed, indeed, that the bill would be accepted by the House; but he was also of opinion that those, who were to be entitled by it to new franchises and privileges, would not be obliged to him; and that, on the contrary, the desire would be increased for the extension of those privileges which might, under any modification introduced by him, be controlled or curtailed. He had acted as he had stated, first from impulse; and reasoning afterwards had convinced him that, neither for his own benefit, nor that of the country, could he have accepted office, or expected to carry such modifications of the bill as the House of Lords might adopt. His opinion had thus been formed and strengthened by reflection; and he regretted that it should have led to a temporary separation from that man, for whom in this country he chiefly felt honour, and whom that separation had only raised in his esteem.

Mr. Baring, while he admitted the unquestionable nature of the motives by which sir Robert Peel

had been guided, differed from him as to the propriety of the course he had pursued, and had endeavoured, while matters were still open, to persuade him to act otherwise. The view which he took of the question, and which he had reason to suppose the duke of Wellington took, was, not that an administration was to be formed for the purpose of carrying the reform bill, or giving sanction or support to it, in any manner so as to compromise the character of those who should form part of the administration, but that the king, being willing that the reform bill in substance should pass, was placed in such a situation by having certain conditions imposed on him by his ministers, to which he could not conscientiously submit, as to stand in need of support and assistance. Whether this view of the question was right or wrong, such was the position of affairs when lord Lyndhurst was sent for by the king, and subsequently the duke of Wellington, to see whether some new arrangements might not be formed. Supposing the king's opinion with respect to a creation of peers was right, should his ministers be allowed to avail themselves of the popularity of the question of reform, to force certain conditions on his Majesty, to which, as the monarch of this country, he could not consent? He was not now arguing whether this view of the question was right or wrong. He only supposed that it was his Majesty's conscientious view of the case; and then came the question, whether, when his Majesty asked for support from the duke of Wellington, it would have been right for that illustrious individual to have said to the king,—“I have adopted such a course with respect



to the question of reform, that, whatever may be your difficulties, whatever contumelies may be heaped upon you, whatever improper conditions may be imposed on you, I will not give you any assistance." That was strictly the situation of things; and all he claimed for the king was, that the view which his Majesty took of the case was an honest and conscientious one. So far from the duke of Wellington being desirous of office, as had been imputed to him by some envious persons,—judging his conduct, doubtless, by their own selfish desires,—the arrangements which were proposed excluded him from power and probably from place. He was well aware that the noble duke's conduct had been censured by some individuals, and virulently assailed by the public press; but he felt confident, that all those who took the trouble to understand the noble duke's position, would be of opinion, that his determination to give his assistance to his sovereign was an act of the greatest heroism. Supposing, for the sake of argument, that the advice given to the king by his ministers was such as ought not to be followed, would it have been right for the duke of Wellington to have left his Majesty exposed to whatever conditions his ministers might choose to impose on him? The king, let it be understood, did not wish to depart from his pledges in favour of reform, but he wished to be protected against doing what he thought would destroy the independence of the House of Peers. If the duke of Wellington had refused to obey the call of the king under those circumstances, the ministers would have been forced back on his Majesty, and he would have been

compelled to comply with their propositions. He would thus have been under the grasp of his administration, and compelled to act in opposition to his avowed opinions.

As was natural, the bill now passed rapidly through the upper House. The committee was resumed on the 21st of May. The bill was read a third time and passed on the 4th of June. Many of the objections which had been taken in the Commons, were briefly repeated by those opposition peers who still attended the House, and some hopeless divisions took place, without any apparent object. Lords Ellenborough and Wharncliffe stated the amendments which they had intended to have proposed, and the system of representation which would have grown out of them. They had thought that to give representation wherever there could be found a certain population, paying a certain sum of taxes, within certain limits, was to lay down a bad principle, because new towns, as they acquired these elements, would be continually starting up and demanding the franchise. They thought it better, where they found, united with a large amount of population, wealth, and peculiar interests requiring representation, and where they saw that not only advantages would result to the particular town, but also to the public at large, to grant representation to such towns, while they withheld it from others not possessed of similar claims. The towns which they proposed to enfranchise were twenty in number, and they were to receive two members each; there were also two places in Wales to which it was proposed to give one member each, no town in that part of the country having more. Thus it was de-



signed to give forty-two members to towns supposed to possess good claims to representation. The towns proposed to be enfranchised were, Manchester, Birmingham, Leeds, Sheffield, Sunderland, Wolverhampton, Bolton, Bradford, Blackburn, Halifax, Macclesfield, Stoke-upon-Trent, Stockport, Stroud, Frome, Huddersfield, Kidderminster, Warrington, Whitby, Hull, and Tynemouth. The towns proposed to be enfranchised by the bill, and not contained in this list, did not require separate representation. The first was Greenwich, which would be merely a government borough, whose member would represent only the ministry. The next was Devonport, which, from its proximity to Plymouth, they thought might be joined to it. They objected, in the next instance, to the giving members to the Tower Hamlets, Finsbury, Marylebone, and Lambeth. As hopes had been held out to the inhabitants of those districts that they should have representatives, it might be wise to give to them in some other mode the choice of members of parliament. It was, therefore, proposed that the county of Middlesex should be divided into two divisions; and as the northern division would embrace those places, except Lambeth, they would thus participate in the choice of two members, which would be sufficient to represent any peculiar interests which they might have. As to Lambeth, they could not see what objection there was to the people of Lambeth being united with the people of the Borough in the choosing of two members to represent them in parliament. They proposed to exclude, likewise, Brighton and Cheltenham. Unless mere popu-

lation was the principle of enfranchisement, watering places, such as Brighton or Cheltenham, had no peculiar interests to entitle them to representatives. The towns of Oldham, Bury, Rochdale and Salford, in Lancashire, were the next places excluded from enfranchisement. At the same time, Lancashire was to be divided into two divisions, one of those divisions embracing the hundred of Salford, and the towns of Warrington, Bolton, and Blackburn. It appeared to them, in the next instance, that Chatham had no right to a member, but that it should be joined with Rochester in the choosing of representatives. It was also proposed that Dudley should be excluded from the right of representation, because its trade was precisely similar to that of Wolverhampton. They next came to Gateshead. It was a mere division of Newcastle, severed from it only by a river; it possessed the same interests, and the same trade, and should be united to Newcastle in the choosing of representatives. The next town was Wakefield in Yorkshire. That was undoubtedly formerly a great manufacturing place, but the manufacturers had latterly in a great measure left it, and selected other sites; and the only reason now assigned for giving it a representative was, that it was a great corn market. As such it would be fully represented by the members for the county of York. It was proposed to exclude Walsall, from enfranchisement, as its interest would be sufficiently represented in the representation of Wolverhampton. The last place was Whitby in Yorkshire. It appeared to them that the trade and commerce of Whitby were not such

as to justify the giving a representative to it. Such was the plan of enfranchisement which they could have proposed, and under it there was no material or important interest in England—whether commercial, manufacturing, or agricultural—which would not be fully and properly represented. In regard to disfranchisement, again, they intended to reject schedule B, allowing the towns contained in it to retain two members; but to disfranchise to the whole extent of schedule A, and distribute among the counties the members which would thus remain to be disposed of. As to the franchise, they had not intended to propose that it should be raised above 10*l.*, but only to subject it to such regulations as would mitigate its danger—by excluding, for instance, lodgers, and requiring residence upon the premises.

The giving of eight new members to the metropolitan districts was resisted on the same grounds on which it had been opposed in the Commons; but there were only thirty-six opposition peers present to vote against ninety-one. On the ground that, as the bill now stood, the agricultural interest of Lancashire would be utterly helpless, Lord Ellenborough moved, that Lancashire should be divided, like Yorkshire, into three districts, each returning two county members. The two southern divisions would be manufacturing, and the northern agricultural. Fifteen peers voted for the proposition, and seventy-five adhered to the bill. A motion of Lord Wharncliffe to prevent 40*s.* freeholders in towns, who had no 10*l.* qualification, from voting in the county, was rejected by eighty-four to twenty-three. The bill which had kept the House of Commons in committee two

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months, and which formed the most important measure on which the British parliament had ever ventured, was disposed of by the House of Lords in six days. The duke of Newcastle had proposed that the solemn mockery, for the sake of the character of the House, should be discontinued: that the chairman of the committee should read all the clauses at once, and the committee adopt them without note or comment. The alterations introduced were very trifling. The opposition having pointed out, that the clauses for preventing the creation of votes in persons not *bona fide* freeholders, was so restricted that it might have the effect of excluding many *bona fide* freeholders, ministers consented to admit words to obviate such consequences. The bill enacted that the person claiming to vote for a knight of the shire, as a leaseholder for a fixed term of years therein mentioned, should show that the lease was “to him” of the yearly value of 10*l.* The lords, however, thought that not the value to the particular individual, but the *bona fide* value should be the standard, and they altered it accordingly. The next amendment was in the 10*l.* clause, in which, after the words “warehouse, shop,” the lords added, “or other building.” So that by this addition the franchise was extended, for persons possessed of an outhouse, or stable of the yearly value of 10*l.* would thus be included. In another clause, relating to cases where the poor rates were to be paid by the landlord, the lords had so altered the clause as to include landlord and tenant. Another alteration related to the registry of those who claimed a right to vote; and it was provided, that if any person had sent his

name to the overseer, and the overseer neglected to insert it, the party so sending could have the matter rectified on proof of the fact of sending, before the barrister appointed for that purpose. Another clause was added at the end of the bill, which referred to the dates already fixed for making lists, registering names, &c. As the bill stood, the 20th of June was named for the first registration, on the supposition that the boundary bill would be passed by that time; but as that bill could not now be expected to have become the law of the land at that date, it was necessary to change the dates named in the bill; and the clause introduced by the lords gave to the Crown the power to fix such dates by an Order in Council. With these and some other verbal alterations, the bill was read a third time, and passed on the 4th of June; 106 peers voting for it, and twenty-two against it. The division was preceded by a hot skirmish between earl Grey, on the one hand, and, on the other, the earl of Harrowby and lord Wharncliffe, who had thus seen so lamentably disappointed the hopes of modification or amendment which had induced them to lend their aid to the second reading.

The amendments introduced by the peers were agreed to on the following day by the House of Commons, without any discussion regarding their merits, though not

without much angry remark in attack and defence of the conduct of ministers in the late events. Sir Robert Peel said he was ready, without hesitation, to give his assent to them, and if they had been proposed for his adoption the instant they came back from the lords, and without being printed, he would have been ready to do so; for he was one of those who thought that they should not go through the farce of considering the value of amendments made by a body which was not in the exercise or enjoyment of its constitutional and legislative powers. Under such circumstances, though these amendments might extend to five or six pages, and though they might relate to the most important act that had been passed during the last century, and though, viewing them in that light, he might have been otherwise inclined to ask for some days to consider them, yet, when he called to mind that they were amendments made by the House of Lords under compulsion, he cared not on what day or how soon they should be asked to agree to them. On the 7th of June, the royal assent was given to the bill by commission, although the reforming press had clamoured loudly that his Majesty would forfeit the confidence of true patriots if he did not perform this ceremony in person, and exhibit himself as publicly as possible in testimony of the subjugation to which his crown and his peers had been reduced.

## CHAP. V.

*State of Franchise in Scotland—Reform Bill for Scotland read the Second Time—Motion to increase the County Representation—Divisions on the Bill—Proposed Qualification of Members withdrawn—Proposal in the Lords to give Members to the Scots Universities rejected—The Bill passes—Irish Reform Bill—Debate on the Second Reading—Motions made to restore the franchise of the 40s. Freeholders—Opposition to the Clause giving an additional Member to the University of Dublin—Motion to extend the Franchise to 5l. Freeholders—Alteration in the proposed Constituency of Dublin University—Second Reading of the Bill in the Lords—Bill passed—Complaints of the effect of the Clause in the English Bill requiring payment of Taxes and Rates—Proposed Bill to amend the Reform Act withdrawn—Boundary Bill—Divisions on the cases of Whitehaven and Exeter—Bill to prevent Bribery at Elections passes the Commons and is thrown out in the Lords—Marquis of Northampton brings in a Bill to prevent the necessity of Members of the House of Commons vacating their seats on accepting Office—Withdraws it—Motion in the Commons for an Address to the King to give New South Wales a Representative System.*

**T**HE carrying of the English bill, and still more the manner in which it had been carried, insured a rapid course to the reform bills for Scotland and Ireland. Resistance on any point, which either party deemed of importance, was now ascertained to be useless. Deliberation was at an end. Both bills had already been read a first time, and had then awaited, on the table of the House of Commons, the fate of the English bill in the House of Peers. The forms of parliament remained to be gone through, before they could become law.

In itself the reform bill for Scotland was liable to fewer objections than that for England. Many who resisted the principles of the latter, were willing to go a great way in favour of the former. It

disfranchised no place, and no persons, except the corporations in royal boroughs. The county representation of Scotland was elected by freeholders, whose title consisted in holding of the crown a mere right of superiority over lands, being themselves crown vassals, while the proprietors of the lands being vassals under them, paying feu-duties trifling in themselves, and of no value compared with the political privilege. The franchise was thus not attached to property. A man might have an estate of 2,000*l.* a year in a county, and have no right to the superiority. If so, he had no vote. On the other hand, of all the voters in a county, it might be that not one possessed a foot of land, though they all held superiorities. In practice more

land-owners had likewise acquired superiorities ; but in practice, likewise, many voters had acquired superiorities who had no connexion with the county ; and the franchise itself, though its holder might incidentally possess property, did not, in its principle, depend upon property. By the proposed bill, the rights of those who already possessed the existing franchise was preserved ; but the franchise was extended to all proprietors of lands, houses, or feu-duties, yielding to him 10*l.* annually, to tenants holding under a lease for their lifetime, or for fifty-seven years, and having an interest of not less than 10*l.*, and to tenants holding under a lease of not less than nineteen years duration, and having an interest of not less than 50*l.* Of the cities and towns in Scotland, none possessed the privilege of returning members except the royal boroughs. These were classed into districts, without any regard to their comparative importance, each district returning a member, and each burgh in the district having one vote. This vote, again, was the vote of the majority of its magistrates and town-council, or in other words of the incorporation, to whom the franchise exclusively belonged. There were boroughs of considerable wealth and population, which, as they were not royal boroughs, had no share in the representation. Of the royal boroughs some had too small a share, in consequence of being united with others which were comparatively insignificant. Thus Glasgow, entitled to rank with Liverpool and Manchester in population and wealth, in commerce and manufactures, was joined, in electing a member, with three other boroughs, two of which

did not deserve the name of towns, while the third was of very inferior importance. Edinburgh alone had a member for itself. By the proposed bill, Glasgow was to be allowed to return two members. Edinburgh, likewise, was to return two instead of one. Aberdeen, Dundee, and Perth, were separated from the districts of royal boroughs to which they had hitherto belonged, and each of them received the right of electing a member for itself. The same privilege was conferred on Paisley and Greenock which were not royal boroughs, and had hitherto been unrepresented. Some other towns of the same kind, which were not considered to require a separate representation, took the place, in the borough districts, of those which had been promoted to independent representation ; for the system of district representation was still maintained. One district, which had consisted of a number of small royal boroughs on the northern shore of the Firth of Forth, was extinguished by transferring them into a district, out of which Perth, Dundee, and Forfar had been taken ; and a new district was formed consisting of Leith, Portobello, and Musselburgh on the southern shore, and in the vicinity of the capital. There was thus an addition of eight members to the representation of Scotland, and the addition was given exclusively to the borough representation. Into the boroughs, too, was introduced the uniform 10*l.* qualification, every person being entitled to vote who owned or occupied premises of any kind of that yearly value.

The bill was read a second time on the 21st of May, the day on which the restored ministry resumed the committee in the lords

on the English bill. No resistance was made to the second reading; the opposition, though they repeated their objections to so radical a change, which, in the words of the lord Advocate who introduced it, "left not a shred or patch of the former system," knew that all resistance was hopeless, and thought that this measure must follow as part of the general scheme, all the elements of which had already triumphed in regard to England. Some of the Scotch members, who had adhered to ministers in regard to the English bill, complained, however, that the Scotch bill did not do justice to the landed interest, the county representation bearing no fair proportion to that of the boroughs. In the committee, Sir George Murray contended that the total number of members given to Scotland was too small, and moved an amendment to the effect of giving two members to each of the larger counties. He argued that, taking any, or all, of the rules which had been applied to England, the representation which the bill established for Scotland was inadequate. Assuming population as the basis, if England and Wales had 500 members, Scotland should have eighty-five. If taxation was taken as the criterion, Scotland should have fifty-nine. If both were taken, Scotland ought to have seventy-two. Taking population, revenue, and assessment on real property, the number of Scotch members ought to be sixty-nine, or rather seventy-five; for, in the revenue fell to be included various duties, such as those on tea, which were paid in England, and not comprehended in the returns for Scotland. Again, Wales had one member to every 28,000 inhabitants; Scotland, one member

to 44,000 inhabitants. What proportion was there here? In some of the English counties, the disproportion, in comparison with Scotland, was still more glaring. In Rutland, there was a member to every 9,000 inhabitants. The county of Aberdeen, which had 177,600 inhabitants, was represented by two members—that is, one to every 79,000. Argyll, which contained 101,000 inhabitants, was represented by one and a quarter, or one member to every 81,000 inhabitants. The lord Advocate admitted, that if he had been forming an opinion on fair abstract principles, Sir George Murray's views would be correct; but it was impossible to proceed on such principles, and there existed even in regard to the English counties many anomalies which could not have been removed without justly exposing the framers of the bill to the imputation of adopting a theoretical and fantastical scheme. Thus the population of the counties of Middlesex, Surrey, and Kent, amounted to 2,334,000; that of Scotland to 2,345,000. In point of wealth and amount of taxes there was no comparison; for while Scotland paid in assessed taxes 280,000*l.*, these three counties paid 1,600,000*l.* Yet they were only to have forty-three members, while Scotland was to have fifty-three, being one-fifth more. There was an obvious fact, too, to account for the representation allotted to Scotland, namely, the smallness of the Scottish counties in comparison with those of England. Scotland was divided into thirty-three counties, while England, a country so much superior in extent and population, had no more than forty. Now, if they took separate representation with the small counties,



it was necessary that they should take single representation with the large. To this the supporters of the amendment answered, that, although the Scottish counties were more numerous in proportion than those of England, the very smallest English county had two members, while no Scottish county had more than one. Or why was not the same principle applied to England? There, the fact that the very smallest county had two members, had not been treated as a reason for giving no more than two to the larger. On the contrary, the counties of moderate size had received three members, and the largest four members, while Yorkshire had six. The amendment was rejected by 168 to 61.

Various other amendments were moved in the details of the bill, and pressed to divisions, but always with the same result. Thus, a division took place on a provision which cut off certain portions of the county of Perth, to increase the constituency of two adjoining small counties, which were themselves united; and the sense of the committee was taken on various objections to the manner in which places newly vested with the franchise were added to the former districts, and which betrayed, it was alleged, attention to particular interests rather than to the relations which the places bore to each other. In the original bill, Port-Glasgow had been united with Greenock. These two places are not two miles from each other. They both lie on the Clyde. They are both out-ports, and have the same branches of commerce. But the influence of the Glasgow merchants is much more powerful in Port Glasgow than in Greenock.

The reformers of the latter, therefore, applied to ministers to have Port Glasgow disjoined from them. Their wish was complied with. A majority of seventy-three to forty-seven, threw Portglasgow into a district, the other burghs in which were far removed from it in geographical distance, and still more widely separated in regard to the interests which they represented. One of them was a newly created borough — Kilmarnock — which seemed destined, in every point of view to belong to the Ayr district; but it was joined to a set of distant companions, because, it was said, its junction with Ayr would have endangered the influence of the ministerial member for that district. An amendment which went to exclude the clergy of Scotland from the franchise, was moved and seconded by two Scotch reformers. It was rejected by seventy-two voices against seven,—and it certainly was difficult to conceive on what principle of reason or justice men, who had allowed the English clergy to pass unscathed, could defend such a measure in regard to the clergy of Scotland. The same proposition, however, was renewed, though with no greater success, in the House of Lords, by a whig peer, the duke of Hamilton.

By the old election law of Scotland, although a landed qualification was required in a county member, no particular qualification was necessary in a burgh representative. In the committee ministers inserted a clause which made it imperative that a candidate for a burgh should possess a landed estate of a certain value. It was first suggested by an adherent of the reform bills, and was moved by the lord Advocate. It occasioned

great dissatisfaction in Scotland among the reformers. The radicals, who alleged that it was directed against their candidates, took the lead in calling meetings to resist it, and, in their resolutions one objection taken to it was, that it was inconsistent with the old election law of Scotland, which election law they were tearing up by the roots. Before the third reading of the bill, the clause was withdrawn. The English and Irish members asked, why a qualification, from which Scotland was exempt, should be imposed on the other parts of the empire. Sir Robert Peel thought that ministers, in giving it up, were about to establish a precedent in Scotland, which they would most unquestionably be afterwards called upon to apply to England, and for his part he did not see what answer, under such circumstances, they could give to such an application. When they were about to establish the same principle of reform in Scotland as in England, they should also establish a similar and uniform qualification in both countries, and in so doing, they would not throw any difficulty in the way of respectable and proper persons becoming representatives for places in Scotland. He had never heard any instance in which they had lost the benefit of the services of a Scotch gentleman as member for an English borough, because he could not take the qualification oath. The clause was proposed to be withdrawn on account of the dissatisfaction which it had produced in Scotland. Was that a principle on which they should legislate in reference to such a matter as this? The House of Commons was surely a better judge on such a point than the political unions. There were four petitions

presented that day from political unions, calling for this change; and the change seemed to have been made in obedience to their dictation. If the House of Commons thought that the qualification was a valid mode of insuring the respectability of the members of that House, they should maintain it, and they should not on such a point give way even to the people—much less to the political unions. Lord Althorpe gave his honour, that the communications, which had induced him to alter this part of the bill, came from persons who were not at all connected with political unions, either in Scotland or in England. It might be that the political unions agreed with them on the point, but he repeated that the representations, which had induced him to propose the withdrawal of this clause, came from respectable individuals in the better classes of society, who were not at all connected with political unions. A different change in the qualification of Scotch members encountered no objection. Hitherto the eldest sons of a Scotch peer had been ineligible. In the new bill a clause was introduced, entitling them both to elect and to be elected.

In the House of Lords, as in the Commons, no opposition was made to the second reading. The earl of Haddington moved, as an instruction to the committee to provide for the representation of the Universities of Scotland, by giving one member to the University of Edinburgh, King's College, Aberdeen, and Marischal College, Aberdeen, and one member to the Universities of Glasgow and St. Andrew's; the right of voting to be in the office-bearers and graduates resident in Scotland. He conceived that the only object-

ion to the proposal was the difficulty of providing a proper constituency; but he thought he could convince their lordships, from returns which he had moved for, that a constituency could be provided. The returns included thirty years, from 1800 to 1830. The results were:

	Degrees in Arts, in 30 years.	Degrees in Medicine, in 30 years.
Edinburgh ..	199	2,524
Glasgow ..	712	410
St. Andrew's ..	59	649
Marischal College, Aberdeen ..	1,018	282
King's College, Aberdeen ..	740	286

It was not possible to say how many of these were now alive; but he concluded that there might be resident in Scotland 1,200 graduates in arts, and 1,500 doctors of medicine now alive, which would furnish the materials of a constituency. The lord Chancellor, though he felt, he said, affection and respect for the Universities of Scotland, was not satisfied that there could be found a constituency, or the materials for a constituency for them. It must not be supposed, if there were so many Masters of Arts in Scotland, that they were such a body as those of Oxford or Cambridge. In England degrees were not obtained till after a residence of a considerable time, and some work performed; whereas, in the Scottish Universities, the statutes were almost a dead letter. If it were to be done over again, he confessed he should not be inclined to give representatives even to the Universities of England and Ireland. The stillness of letters ought not to be broken in upon by the turmoil of an election; and though not so much mischief had been done as might have been expected, he doubted if evil had

not very considerably preponderated, by making the graduates of the Universities parties in political contentions, to which those who had passed their early life in the shade of college retirement,—who were employed in the instruction of youth, or in the duties of the sacred office,—were not adapted—which were not ornamental to them, and were useless to the public. He regretted, indeed, that, instead of not giving members to the Scottish Universities, the bill had not exempted the Scottish clergy from the almost inevitable necessity, by the exercise of the elective franchise, of mixing with politics, although, as the bill had come in this state from the other House, it would be felt as invidious and casting a stigma upon the clergy, if their lordships were to propose to exclude them. The motion was negatived without a division; as was another to increase the Scottish members from fifty-three to sixty-one, founded on similar statements with the similar amendment which had been moved in the House of Commons. The bill passed the Lords on the 13th of July.

The Irish bill, though its course was equally certain in so far as concerned what had hitherto been the opposition, called forth more resistance both from them, and from members who were among the most violent of the reformers. The former found in it an element which did not appear in the bills for England or Scotland, in so far as it seemed to them, that its effect would be to destroy every security for the existence of the Protestant church in Ireland. The latter, again, opposed its provisions because they did not go sufficiently far, and, instead of extending,

would, upon the whole, diminish the constituency of Ireland. In moving the second reading, on the 26th of May, Mr. Stanley said, that he expected it would be met with uncompromising opposition by those who thought it would give a dangerous preponderance to the Catholic interest; but he considered such an objection inconsistent with the whole spirit of our legislation, and particularly with the Emancipation Act. The passing of that measure removed all distinctions between Protestants and Catholics; it had been advocated on the ground that it left no question behind; and if parliament were now to act on the principle of exclusion, there would still remain a Catholic question to be settled. But he did not believe, in point of fact, that the bill would produce any danger to Protestant institutions. Of the 100 Irish members who sat at present in the House, sixty-four were returned by the counties. The total population of Ireland, by the last returns, was 7,700,000, of which the county population made up about 7,000,000. The numbers of the whole county constituency would be only 52,162 of whom no fewer than 22,000 were persons possessing freeholds above the value of 50*l.*, while the remainder possessed freeholds varying from 10*l.* to 20*l.* The present bill, too, had been altered so as to admit 10*l.* leaseholders, if the term of their lease extended to sixty years, which would let in a respectable body of Catholics in the north of Ireland, who, when they were still incapacitated from holding freehold property, had taken leases for ninety-nine years. With respect to the cities and boroughs, it was in Dublin alone that any chance

could exist of the constituency being inconveniently great. The voters in that city would be about 16,000, but their respectability would be increased as well as their numbers. Seven of the largest places in Ireland, including Cork, Kilkenny, Limerick, and Waterford, would have an aggregate constituency of only between 15,000 and 16,000 persons; and would any man say that a safe constituency to that extent could not be found in the great towns of Ireland? Would the protestant interest be destroyed, because the members for Belfast would in future be elected by 2,300 voters instead of thirteen? Of the boroughs which were to be thrown open, and were supposed to be the great bulwarks of the Protestant interest, five had a constituency below 5*l.*, which was to be raised to 10*l.* He did not believe that the bill would add seven members to the Catholic interest.

Mr. Lefroy moved that the bill should be read a second time that day six months. He said that, if a reform bill was to be passed at all, the present measure, in so far as the county representation was concerned, was not very objectionable, but he could discover no advantage to be derived from the alterations in the boroughs. Seven of these boroughs had sent reformers to parliament, and eight possessed an open constituency. In the others the constituency varied from twelve to ninety-four; none of them could be called decayed boroughs; on the contrary they were more flourishing than at the time when they received the franchise. Of the 100 Irish members, there were already eighty-three popularly returned. Five new members were to be added, who, it was to be presumed, would be elected in

the same way,—where was the necessity or expediency of the measure? Would any rational man have deemed a reform bill necessary for England under such circumstances? Was a system, under which the election of five-sixths of the members was popular in the highest degree, to be treated as a mockery of representation? While the bill was unnecessary, it was dangerous — dangerous not merely to the Protestant institutions of Ireland, but, through them, to the sister church of England, and the integrity of the empire. The fall of the Irish Church, even if that of England should stand, would endanger the connexion between the two countries. The leader of the Catholic population in Ireland had told them to choose reformers as the best mode of opening the way for repealers; and yet it was proposed, by opening the boroughs, to put them into the hands of this party, whose influence would be increased to an extent that no government would be able to oppose it. It was intended that the Catholics and Protestants should be placed upon a level; but the bill gave the Catholics an enormous preponderance of power. The numerical force of the Catholics would shut out Protestant property from its due share in the representation; and influence would be thrown into the hands of a population, who entertained an hereditary aversion to English dominion, and whose hostility was kept alive by every means of agitation, ever striving at some ulterior object. If the Protestants were not fairly represented—if they were endangered by the establishment of Catholic preponderance, would they continue to adhere to an union which had not been without its grievances, and

the repeal of which was prevented only by their refusal to join with the Catholics?

The amendment was seconded by Lord Castlereagh, and supported by Mr. Shaw, Mr. Conolly, and Mr. Gordon, who all thought that the bill could not fail to be ruinous to protestant interests in Ireland. With the command of twenty-six counties, nine cities, and fifteen boroughs, the catholics would be enabled to send seventy-six members to that House. That party would be thus enabled to turn the scale in favour of, or against, any measure of which they approved or disapproved. What chance was there, with such a representation, for the maintenance of the protestant church and protestant establishment in Ireland? The voters under the bill would be completely dependent on the influence of the priests; the government would have to be conducted according to the bidding of the agitators; and it was well known what were their views and objects. The boroughs which were now to be opened had been created by James I, and, at the time of the union had been retained, for the very purpose of being aids to the protestant establishments of Ireland. They would now pass into the hands of catholics. Nay the bill went even further than the English bill; for, while the latter preserved the rights of freemen in perpetuity, the Irish bill took them away altogether.

Mr. O'Connell and Mr. Sheil defended the bill against the objections urged by the supporters of the amendment, while they pointed out defects of an opposite kind which they expected would be remedied in the committee. They considered it ridiculous to maintain that protestant property,



the protestant church, and the connexion of the two countries, depended on the preservation of thirteen rotten boroughs. These boroughs were uniformly knocked down to the highest bidder. They returned members who had no connexion either with the borough, or, in many instances, with the country. Mr. O'Connell said, that this continued talk about catholics and protestants was a mere cant cry, fit only for the orgies of an orange lodge. The Irish members on the other side were making it a religious, instead of a political discussion. Instead of considering the best mode of securing popular government for Ireland, they declaimed about the dangers to which protestantism would be exposed. He himself was no enemy of the established church, but he avowed that he was an enemy to tithes, to cess, and to the vestry system. He denied that tithes were religion. He denied that money payments had any connexion with the stability of the church. He belonged to a church in Ireland which was perfect in all its gradations. It had a hierarchy; and its priests were beloved by the people, and esteemed by all whose estimation was worth preserving. That church had existed for centuries, not only in despite of persecution, but in the absence of any legal provision for its support, and he hoped that it would never be disgraced and degraded by having a legal provision made for it. The objections, to which the bill was liable, were of an entirely different kind. It was by far too conservative. It gave to Ireland but a scanty portion of the justice which had been meted out to England. He maintained that there would be, not 52,000 county voters but only 25,000.

The name of the 10*l.* franchise had been given to Ireland, but not the reality; for the Irish and English freeholders, from the nature of their tenures, and the disproportion between their respective means, stood in positions essentially different from each other. In respect to houses, likewise, the 10*l.* franchise was too high, and, instead of being the instrument of reform, it would be productive of corruption. Portarlington, which was formerly sold by a single proprietor, would now be sold by 100 owners; and for his part he would have preferred the former mode of transfer, as being a gentlemanly compact, free at least from the foul accompaniments of drunkenness and perjury. Yet this was the democratic measure that frightened so many gentlemen from their "propriety." Then there was Dungarvon also, which had at present 640 votes—these would be reduced by the bill to 200, whose votes would be in the hands of the duke of Devonshire—and this forsooth was a popular measure of reform! Another ground of complaint was, the registry of votes. In England no man was called upon to show his title unless by previous notice—in Ireland a scrutinizing assistant-barrister examined it without any process being served on the man who came to vote. The barrister might put inquisitorial questions to the voters, and through vexatious litigation shake his independence. In Ireland half-a-crown was the sum paid for registry—in England it was a shilling. Was this equality? Was this union? Could this conduce to a continuance of the connexions between the countries? While he found so much to censure in the bill before the House, still



he should support it for the good it would effect. He would support it, because it would strike down the corporation of Dublin—that body despicable in their bankrupt circumstances, and disgusting for their corruption. He would support it, because it would open the borough of Belfast, and give the country the benefit of the commercial intelligence of that enlightened and flourishing town, whose representative had hitherto been appointed by a noble marquis (Donegall), like his groom or his footman.

Sir Robert Peel admitted, that as the House had sanctioned the principle of the abolition of nomination boroughs in England, it might seem right to follow the example in Ireland; and if he could have entertained any expectation of the amendments which he considered necessary being adopted in the committee, he might have refrained from offering any opposition to the bill in its present stage; but no hope was held out of any such amendments. Looking at the state of protestant property in Ireland, he did not think it could be fairly represented under this bill. Even at present property was not adequately represented in Ireland, as a proof of which he referred to the return of Mr. O'Connell for three counties, in two of which that gentleman possessed no property. The case would be worse under this bill. Besides, he could not but feel apprehension at such a measure, particularly when its Irish partisans admitted that they only sought reform as a means towards accomplishing the dissolution of the relative union between the two countries. If he believed the bill would confer real benefit on Ire-

land, he would be the first to adopt it; but no proof had been offered to show that it would be attended with the slightest advantage. It was unfortunate, within three years of the removal of Roman Catholic disabilities, to see a measure so extensive as the present brought forward; because, if no other ill consequence flowed from its introduction, there was at least this evil attendant on it—that it shook the idea of a general settlement of affairs in Ireland. Because the bill went to destroy the due influence and representation of property—because he conceived it hostile to the existence of the established church,—because it might endanger the connexion between the two countries,—and lastly, because it disturbed what had been considered a final settlement, he must refuse to become a party to the responsibility attending this measure; and not seeing any opportunity fitter than the present to express his opinion on the subject, he should vote against the second reading.—On the division, the second reading was carried by 246 against 130, the majority being 116.

It was now that the attacks of the Irish reformers against the bill began. When the emancipation act was passed, it had been accompanied by a total disfranchisement of the 40s. freeholders. Mr. O'Connell now moved that it should be an instruction to the committee to restore the franchise to these freeholders. He claimed this on the ground, that their disfranchisement had been an unjust act, and that, without their restoration, there would be no reform—the constituency would be diminished, instead of being extended. It had been alleged, in 1829, as a

justification of their disfranchisement, that they had abandoned the natural and proper influence of their landlords, and given themselves up to their priests. This was untrue. The priests then, as now, were under the control of the popular opinions of the great majority of the country. The returns for the counties of Westmeath, Dublin, Galway, Waterford, and Clare, had been petitioned against on allegations of undue influence used by the priests. In three of these cases the allegation had been abandoned. In the other two, the committees would not call on the members to meet the evidence of the petitioners, stating they were satisfied, on the evidence of the latter themselves, that the allegation was untenable. Why not restore their rights to the 40s. freeholders, and thus give to the peasantry a sense of importance and independence, while we afforded them a stimulus to industry? Either the British parliament thought Ireland unfit to receive this act of justice, or they considered the privilege, which was enjoyed in England, too good for Irishmen. Grosser injustice was never displayed than that which the Irish reform bill exhibited. The members of the House were now to be scrupulously retained; England was to have thirty members more than had been originally contemplated; but Ireland was excluded from deriving any advantage. This was always the way where Ireland was concerned; her aid was invoked in the battle, but when the division of the spoil came, she was forgotten. In the present instance, insult was added to injury. The English bill had been brought forward by an English gentleman, and the Scotch bill by

a Scotch legal luminary. Was there no Irish gentleman to whom ministers could entrust the Irish reform bill? Was it necessary that it should be introduced by one (Mr. Stanley) who could conciliate nobody, and in whom no party could confide? Ministers wished, forsooth, to put an end to excitement and agitation in Ireland; and how did they set about it?—by perpetrating an act of injustice which must perpetuate excitement, and leave no room for any tranquillity but the tranquillity of slavery; and that, he pledged himself, they should not have.

Mr. Sheil in supporting the amendment, denied that the disfranchisement of the 40s. freeholders in 1829 could be considered as part of a solemn compact; and they ought to be restored, because their restoration was just in principle, because it would assimilate the constituency of England and Ireland, and because it would conciliate the people of Ireland without being detrimental to England. Mr. Leader stated, on the same side, that, at the time of the passing of the bill for disfranchising the 40s. freeholders, the number of voters of that class was 190,000, making with 100l., 50l., and 20l. freeholders, a county constituency of 216,000. The constituency of 10l. freeholders, substituted for the 190,000 disfranchised voters, amounted to only 19,264. Was this to be endured? Taking all voters for counties from 100l. to 10l., the twelve counties of Leinster contained but 14,000 constituents, Munster 14,000, Ulster 15,000, Connaught 7,000. But, considering the defective state of county registration in Ireland, and looking at the numbers polled at former elections, it might be

safely stated that the entire county constituency would not exceed 26,000; and that, he contended, was no constituency at all. Nor was this compensated by any thing that was done in the boroughs. In Dublin, indeed, the constituency would be raised from about 5,000 to something more than 16,000, and in Belfast from thirteen to 2,300. But in the other thirty-one boroughs and cities, the aggregate of the new constituency would be only 18,898, while at present it was 16,907.

Ministers answered, that the effect of the proposed instruction would be, if carried, to impede the progress of, if not ultimately to defeat, the measure. The object of ministers in proposing reform, was not so much the conferring of new rights, as the removal of practical grievances, and they did not think that the withholding of the franchise from the 40s. freeholders in fee of Ireland was a practical grievance. They were a very small class of persons, and by the existing law did not possess the right of voting. It was said to be unjust to disfranchise the Irish 40s. freeholder in fee, while the English 40s. freeholder in fee was allowed to exercise the franchise. But parliament was bound to ascertain whether 40s. freeholds were held by the same class of persons in Ireland as in England. In a vast number of the Irish counties there was not such a thing known as a 40s. freeholder in fee; and, in the great majority of counties where it existed, the class of 40s. freeholders in fee was the lowest, most corrupt, and venal, that could well be imagined. Take the county of Wexford, in which there was a considerable number

of them, and on examination what sort of persons would the feeholders be found to be—they were persons who, to use an American phrase, having literally “squatted” on the side of a mountain, or a bog, had, by long possession, acquired the right to their holdings. In one instance of a contested election for the county, the candidates, of whom there were four, came to an understanding that they would not purchase the votes of any of those 800 feeholders so situated; it being well known that they were all venal. Unless it could be proved that the 40s. freeholders in fee constituted a large body of respectable and independent men, not under the control of landlords, priests, or agitators, there was no case made out to restore to that class in Ireland a privilege which was continued in England, but under widely different circumstances.

Mr. O’Connell’s motion having been lost by a majority of forty-nine, there being 122 votes against it, and 73 in its favour, he immediately moved as a modification of it, that the franchise should be restored to persons “seised of an estate for three lives, renewable for ever, of the yearly value of 40s.; provided that the rent did not exceed 4*l.* per annum, of which one-third was to be profit: and provided also, that the renewal fee did not exceed 2*l.*” This, he said, was not a franchise which could be acquired by “squatt<sup>ing</sup>,” nor would the number of persons entitled to it be so great as those included under the previous motion. Mr. Stanley objected, that it would create a minute subdivision of independent property, and, by that means, would also create an immense multitude of dependent voters. The

motion was not pressed to a division.

By the bill the representation of Ireland was to be increased by five members. One of these was to be given to the University of Dublin, which was now to return two members. O'Connell and his party were vehemently opposed to this arrangement, principally because it gave a new member to the protestant interest, and to a more select constituency than they wished to see established. Sir Robert Heron moved, as an instruction to the committee, that the University of Dublin should continue to return only one member. He intended to transfer this member to Kilkenny. Dublin University, he said, could show no claim to this additional member, whether it was compared with the other Universities, or with other places in Ireland. The University of Dublin consisted of a single college; it had now a constituency of seventy-two members, and under the new bill that constituency would be raised to a number not much exceeding 200. The University of Cambridge had 2,200, and the University of Oxford had 2,500 voters. On what ground of learning, morality, or virtue, could the University of Dublin claim the right of having a representation ten times as great as the representation of the two English Universities? If literature were to be represented, why was the additional member to be given to the University of Dublin, which had one member already, and not to the Scotch Universities, all of which were without one? Looking at the question, however, as a purely Irish question, on the one side, was a constituency of 200 persons, who were to return two members,

and on the other, the county of Cork, with a population of 800,000 persons, and a territory containing one seventh of the whole soil of Ireland, which was to return only the same number. The city of Kilkenny, too, with a population of 20,000 persons, and its suburb of St. Cannis with a population of 10,000 more, was only to return a single member; was that right, or just, or politic? It had been said, that if the right of returning a member to parliament were given to either of these constituencies, a Catholic member would be returned, and Catholic influence in that House would be greatly increased. He was not inclined to yield belief to that argument; but if the House were really afraid of the increase of Catholic influence, let them take this right from the University and give it to the city of Dublin—let them give it to Londonderry, or any other, the most Protestant place in the north of Ireland.

Mr. Crampton, the Solicitor General for Ireland, said, that the present electors of the University were not seventy-two, as Sir R. Heron had stated, but ninety-six; the electors under the new bill would be, not 200, but 600; and in that number would be comprised men the most eminent for their attainments in law, physic, science, and divinity. The electors of the University of Dublin had at all times shown themselves a most independent body. They had returned Mr. (now Lord) Plunkett to parliament against the influence of the government of that day, and on other occasions their choice had been equally independent. He would admit that, if any town were to receive a member at the expense of the University of Dublin, the

city of Kilkenny had as fair a claim as any; but he denied that the claims of that or any other town to an additional member could be put in competition with those of that University. The House should look to what had been the object of founding and supporting the University of Dublin. It was intended to support the Protestant interest in Ireland. Now it was said that the present bill gave too much to the Irish Catholics. He did not say so. He wished to see less distinction between the two parties, but as long as there were two religions in Ireland, it could not be contended, that the political influence of both should not be fairly balanced. It would, however, be unfair to say that the University of Dublin was exclusively Protestant. It was open to Catholics as well as to Protestants.

Lord Althorpe and Mr. Stanley admitted that ministers, in resolving to give an additional member to the University, had calculated upon its being a Protestant college, and though they did not always look to the question of Protestant or Catholic, they did not deny that they ought to protect the Protestant interest in Ireland. Seeing the state of things in Ireland, they did not think they were doing what was unreasonable in throwing the additional member into the Protestant scale, as a protection to the Protestant interest. In giving this one member, they were anxious to extend the constituency, in conformity with the terms of the charter, but to confine the franchise to the same class. There was great difference of opinion in Ireland, and even in the University, on the question of this extension of the franchise. To give it to the Masters of Arts,

would be practically to give it to the Protestant interest, but ultimately to the Catholic. Still ministers were desirous to leave that question entirely open.

Mr. Sheil thought it impossible that Mr. Crampton's estimate of the new constituency at 600 could be correct. The franchise was to be confined to the scholars. There were fourteen scholars admitted every year, so that from the year 1800 to 1830 there had been only 420 scholars. Now, allowing for the deaths which would take place in that time, and for those who might go abroad, he thought it impossible to get a constituency of 600, and the majority of the constituency, such as it would be, would be by no means a resident constituency, which was one great object of the bill. It was true that the University was open to Catholics as well as Protestants. But was its constituency equally open to both? Was it not a fact that no Catholic could have a vote for it? The votes were given to the fellows and scholars, who must all be Protestants. This was an exclusively Protestant constituency. This addition of a member was not for Ireland, but for a small minority, who had no sympathy with the people of Ireland. This could not be necessary for the Protestant church in Ireland, every beneficed clergyman of which had already a vote. The House was now about to give an addition of five members to Ireland. The boon was small compared with the rights of those to whom it was given, and with the dignity of those by whom it was given, it was therefore of importance, that as they gave but little, they should give it well. Mr. O'Connell declared, that he would vote against any proposal



for extending the college constituency by giving the franchise to the graduates; for it would be a most expensive election to bring the graduates from all parts of the British dominions. Government could not mean it. But, in sober sadness, why, out of the five members added to Ireland, should one be appropriated to a miserable community in Dublin, a college belonging to a particular persuasion? Why should 400 or 500 persons have one member, when 8,000,000 were to get only four? Could any mockery of reform be greater than that?

The House rejected the proposed instruction by 147 to 97.

Mr. O'Connell again returned to the attack, by moving as an instruction to the committee, to extend the franchise to persons occupying freehold estates of the clear yearly value of 5*l*. He founded his motion on this, that as Ireland was a poorer country, a 10*l*. qualification in England was in truth a 20*l*. qualification in Ireland, and the constituency of the latter would consequently be miserably curtailed. He averred, that the whole Irish county constituency would not exceed 25,000. Six of the counties would not have 300 10*l*. voters each. In seven others, these voters would not exceed 400, and in five more they would not exceed 500. There were, then, three counties possessing each a constituency of 10*l*. voters of between 500 and 700, and there were also eleven counties having 10*l*. voters to the number of 700 and upwards, and eight of these eleven counties were in the province of Ulster. It had been said, that the constituency was increased by the 20*l*. and 50*l*. voters. These, it was stated, amounted, each class,

to one-sixth of the number of 10*l*. voters, but he did not believe they amounted to more than one-ninth. He, however, was willing to take it at one-sixth, which would make about 6,000 voters, including rent charges; and having done this, he denied the possibility, by any stretch of human ingenuity, to raise under this bill a constituency of more than 26,000. Was this an extension of the franchise, or was it to be called reform? He should be glad to know, also, why it was sought to diminish the constituency by taking from voters in boroughs or cities the right of voting for the county? When this had been before complained of, the answer which had been given was, that the provision was in accordance with the English bill. True such a principle was in the English bill, and it proceeded on the distinction between the manufacturing and the agricultural interests. But no such interest as a manufacturing interest prevailed in any of the boroughs in Ireland, and therefore the principle did not apply. Why was the freehold right of voting taken away from cities which were counties in themselves? He was ignorant of any principle on which such a course could be maintained. Such was the reform intended for Ireland; and he must say, that if some enlargement were not made by his Majesty's government, and if they and the House did not yield to his suggestions, it would be well for his views, as it would demonstrate the impossibility that this House could legislate for Ireland. The object of all parties seemed to be to exclude the people of Ireland as much as possible from the enjoyment of the franchise. He was justified in making this state-



ment, when he saw two members given to Trinity college, Dublin, in the constituency of which it was absolutely impossible that there should be a single Roman Catholic voter. If a system such as this was acted on, he declared that the Catholic question still remained to be settled. In fact, there seemed to be a fatuity not easily to be accounted for in the conduct of ministers on every subject connected with Ireland. The only thing in which the present government had succeeded in that country was this—they had effectually disgusted all parties. He might be told, that if he introduced improvements in this bill, the consequence would be to occasion the loss of the measure elsewhere; but after the example of the English reform bill, he was not much afraid of the Lords. Besides, let matters come to the worst, the bill could only be lost, and he was willing to submit to its loss, if it could not be rendered satisfactory to the Irish people. He would rather encounter an injury than an insult.

Mr. Stanley, in answer, complained of the unreasonable conduct of Irish members, and more especially of Mr. O'Connell, in first desiring alterations to be made in the original bill, and then complaining that it was no longer the same. The changes in the plan of registration had been recommended by Sir Henry Parnell. An alteration had been made, too, in the term of leaseholds, from twenty-one years (as in the English bill, and nineteen in the first Irish bill) to fourteen: and this was also done at the instance of Irish members. Nay, Mr. O'Connell self entreated ministers to omit 50*l.* rent qualification, and his it was complied with; but

he had hardly effected his purpose, when he turned round and accused the government of making unfavourable alterations in the bill; and members might be astonished, but it was a fact, that he had given notice of motion for the restoration of a qualification which was omitted on his own suggestion. In regard to the present question, the county constituency would amount to 52,000. It was stated at 25,000, merely because in eighteen contested counties only 15,000 votes were polled. But had all these counties been polled out? A deduction must, no doubt, be made from the number of voters returned in the parliamentary papers, on account of erroneous registry; but still the county constituency, would not be diminished to the extent which had been stated. Complaints were made, too, of the reduction in the county constituency, in consequence of voters occupying property in towns being struck off; but were these votes lost? No, they augmented the town constituency. As in England a man was not allowed to vote for two places in right of one property, it was fair to extend the principle to Ireland, and it was on this ground town occupiers were excluded from county constituencies. How did the case stand with respect to the constituencies of places which were counties of cities in themselves? Did the bill diminish those constituencies? By no means; they received considerable augmentations under the bill; the number of voters for such places would be increased from 17,000 to 32,000. The fifty pounds leasehold qualification would add considerably to the Catholic constituency in the northern counties—Armagh and Down for example;

and the substitution of the 14*l.* for the 20*l.* interest of the English bill was a great boon to the Irish electors. The motion was rejected by 177 against 44.

Mr. O'Connell's colleague in the representation of the county of Kerry, Mr. Mullins, proposed to extend the franchise in counties to leaseholders for 19 years, at a rent of 30*l.*, but only nine members out of 170, supported the proposition. In the committee, however, ministers yielded something, by consenting to extend the franchise to leaseholders for twenty years, having a beneficial interest to the amount of 10*l.* They acknowledged that, in doing this, they were going considerably beyond the English right of voting, but taking into consideration the comparative value and amount of freehold and leasehold property in England and Ireland respectively, and feeling that the alteration would improve the Irish constituency, they thought they were justified in departing from the principle of the English bill so far as to lower the leasehold qualification, and place two interests, leasehold and freehold, for twenty-one years (the one without and the other with a life, in addition to the same yearly term) on an equality. In arranging the constituency of England and Ireland, they ought to take into consideration, previously to applying the same unvarying principle in either case, the relative proportion which leasehold and freehold property bore to each other in both countries respectively. In Ireland the amount of freehold, as compared with leasehold, was much inferior to what it was in England; consequently the freehold qualification in the former country gave a constituency re-

latively inferior in extent to that which it afforded in England.

The bill required that, in boroughs, the 10*l.* voters should have paid all municipal taxes. Mr. Sheil divided the House unsuccessfully on a motion to get rid of this proviso, which he thought would both hold out temptations to bribery, and produce endless litigation, as the particular taxes were not specified. On the other hand, several members wished, though they did not press it, that 40*s.* freeholders in towns should be disfranchised. By far the greater part of these votes were entirely fictitious, having been created, in many cases, to counterbalance the non-resident freemen, and were altogether at the disposal of the person who had made them. As the bill cut off the non-resident freemen, these 40*s.* freeholders ought likewise to disappear.

By the English bill, the rights of freemen were perpetuated; by the Irish bill, they were to terminate with the lives of the existing freemen. The recorder of Dublin moved an amendment to place Irish freemen on the same footing with their brethren in English boroughs. Ministers resisted it on the ground that it was a great object to put an end as much as possible to sectarian distinction in Ireland, and the making of freemen by Irish corporations, was a fruitful source of sectarian bigotry and of discontent. The amendment, though it gained the support of Mr. O'Connell, was rejected by a large majority. Ministers yielded, however, in regard to the constituency of the University of Dublin. They consented, that the franchise, instead of being confined to the fellows and scholars, should be extended to all:

masters of arts, or persons who had taken a higher degree.

Before the bill left the committee, Mr. Dominick Browne, one of the members for the county of Mayo, proposed a different plan of reform for Ireland, not, however, with any hope of finding it acceded to, or any intention of urging it. He proposed that ten boroughs should be disfranchised, viz. Portarlington, New Ross, Enniskillen, Mallon, Bandon, Athlone, Cashel, Coleraine, Dungarvon, and Ennis; that the members of the last five should be given to the counties in which they were situated, while those of the first five should be transferred, one to the city of Dublin, two to the county of Cork, and one to each of the counties of Galway and Mayo. In the first five boroughs the constituency was so small, not exceeding 250 in any of them, and in some of them being barely 200, that there was no possibility of a fair and unbiassed election. With respect to the other five boroughs, he would have left them their franchise, and still have given an additional member to each of the five most populous counties; but, as the House was already pledged against adding to its present numbers, he had no choice but to disfranchise these boroughs in order to provide additional members for the counties. Mr. Stanley remarked upon this scheme that, if ministers had been framing a new system of representation for Ireland, there were towns now enjoying the franchise whom it might be right to deprive of it; but as that was not their plan, they saw no reason for introducing into the bill any principle of enfranchisement. The places, too, to which it was proposed to

transfer the members of these boroughs, were not well selected. It was very true, for instance, that the county of Mayo contained a numerous population; but it was equally true, that it contained a very limited constituency as compared with that population. The returns of the fund set apart in July last for the relief of the famishing poor in that county shewed that, out of 300,000 inhabitants in Mayo, not less than 224,520 sought relief from that fund. Dublin contained upwards of 200,000 inhabitants, but it did not follow that it should receive an additional representative; for, besides that it was situated in a very small county, which returned two members of its own, Lambeth, the Tower Hamlets, Manchester, Glasgow, and other large places, containing a population very nearly equal to that of Dublin, and a commercial importance far higher, and which would not return more than two members, would have an equal claim to a third representative.

The bill having passed the Commons on the 18th of July, was read a second time in the Lords on the 23rd. No division took place, although the duke of Wellington attended, and stated at some length his objections to the measure. In his opinion, it might have been exceedingly expedient to reform the representation of England, and even of Scotland, without touching the representation of Ireland. The representation of Ireland had been considered thirty years ago; and it again came under consideration in the year 1829, when an important measure was adopted, by which the representation of the different interests in

that country was adjusted, and, as he thought, finally settled. In truth, the measure then adopted was founded on another measure, which also passed the legislature for the abolition of the 40s. freeholders,—a measure which was deemed necessary to put an end to the improper influence of the priests of the Roman Catholic religion. But even supposing that, in consequence of the reform which had been effected in the English representation, it became necessary to extend reform to Ireland, still that reform ought to have been founded on the principle of the measure of 1829, and not upon the new-fangled notions which marked the present measure. During the progress of the Emancipation bill, he had been urged to apply the same principle to the counties of cities as to the counties at large, and disfranchise the 40s. freeholders in the former; but he did not concur in the suggestion, because he thought that the balance between the two interests should be preserved; and that as the corporations possessed the power of creating freemen, the 40s. freeholders ought to continue to exercise their right of voting in counties of cities. But what did this bill propose to do? To disfranchise at once the non-resident freemen. This was a measure which he contended would give an undue preponderance to the Catholic religion. He also objected to the bill, because it extinguished the rights granted by charter to the corporations. Admitting that, as parliament had opened nomination boroughs in England, it would not be expedient to preserve them in Ireland, still he contended that any alteration in the representative system of that country ought to be consistent with the principles of

the measure of 1829. It ought to have secured in those boroughs the Protestant interest, by giving influence to property connected with the crown and the established church. The bill would transfer the power (which was, for the wisest purposes, vested in corporations, for the purpose of preserving the Protestant interests in Ireland, and investing property with its just influence) to the Catholics, and, by so doing, would endanger the safety of that country, so far as the means of connecting its fortunes with those of England was concerned. It was in vain for ministers to say, that they were merely following the example laid down in the English bill, while they were thus effecting a change that seriously involved the very stability of the crown, and the dearest interests of the country.

Lord Plunkett answered his grace, and maintained that it would be equally unwise and unjust to leave nomination boroughs in Ireland after they had been condemned as ulcers and plague spots on the constitution in England. Surely, if any expedient more than another could swell the cry, and impart force to the demand for a repeal of the Union, it must be telling the people of Ireland that what public opinion and parliament had stigmatized as disgraceful to the inhabitants of England and Scotland, must be considered by them as no disgrace or abuse whatever. The noble Duke was infatuated enough to argue the principle of the bill, as if it were a mere question between Catholic and Protestant. Now it would not be a very difficult task to demonstrate that the Protestant would derive as much advantage from the bill as the Catholic; but he would not

condescend thus to argue a great legislative measure. For what, he would ask the noble duke, did he support the Catholic relief bill? Was it not to put an end to those religious distinctions, which had too long disfigured the face of the prosperity of Ireland? And what was there now to induce the noble duke to forget what was due to his reputation and consistency, to attempt to undo that great healing measure, and for the sake of opposing the policy of his successors in office, thus endeavour to revive religious prejudices with all their baleful consequences? It was a glaring error to assert that the arrangements of the Union act were framed for the purpose of what is called "propping up the Protestant cause." The advocates of that measure displayed great address in avoiding all contrasting appeals to either the Protestants or the Catholics of Ireland, even, too, while they were artfully holding out inducements to the latter to support them; and so far from the thirty-four boroughs which were retained in Ireland being selected as so many "bulwarks of the Protestant interests," they were wholly selected on account of their superior wealth, population, and importance. The only question, therefore, was as to the wisdom and necessity of extending to them the principles of the English reform bill. One fact, he thought, would satisfy every man not determined against conviction, of this wisdom and of this necessity. The representatives of seventeen of those boroughs, containing a population of 170,000 souls were nominated by precisely seventeen persons? Yet, to put an end to this iniquitous and disgraceful system, they were, forsooth, viola-

ting the articles of the Union, and overturning the Protestant institutions of the country. He also denied the assumption of the noble duke, that the 40s. freeholders were disfranchised merely for the purpose of maintaining the Protestant interests in Ireland. They were disfranchised, not because they were what is called "Popish electors," but because they were in such indigent circumstances as precluded their exercising their right of suffrage independently, and as free agents. If their existence was so dangerous to the Protestant establishments, why were they so carefully preserved at the passing of the Union? And again, if the privilege of making freemen of corporations was bestowed wholly with a view to preserving the Protestant institutions in Ireland against the Catholics, why did the law make the Catholics equally eligible to be freemen with their Protestant brethren? And still more, why did the noble duke himself do away, in 1829, with the only obstacle—the oath of supremacy—to their filling every corporate office? It was asserted that the majority of electors would be Catholics. He really did not believe that such would be the case to the degree anticipated; but he would say, that if the Catholics were in a situation to exercise independently and intelligently the right of suffrage, their religion should be no bar to their being invested with it. They all recollected the lamentation in which the opponents of the Catholic relief bill indulged, as to the inundation of Catholic members—the mere organs of the Catholic priests—which it would occasion; and they had lived to see the folly of their apprehensions. And so it would



be with respect to the present excellent measure, which they were in like manner told would increase the dangerous influence of the Catholic clergy.

The bill passed rapidly through the committee in the peers, almost without discussion. The only amendment of any importance was one which had been moved unsuccessfully in the Commons, an amendment, namely, which went to place the rights of freemen in boroughs on the same footing on which they stood in the English bill, by continuing them in perpetuity, instead of confining them only to the children of freemen born before the passing of the bill. Ministers admitted in the upper House the reasonableness of what their colleagues in the lower had strenuously resisted as an arrangement which merely fostered "sectarian bigotry." When the bill returned to the Commons, Mr. Stanley declared that he felt a strong repugnance to this amendment. The great argument for it, he said, had been, that the rights of corporate freemen in England were not touched by the English bill, and that the same course should be taken with respect to Ireland. But that they did not meddle with a right which, in England, was not abused, appeared to him no reason for abstaining to take away that right with respect to Ireland, where it was notoriously abused. He would not, however, at this late period of the session, oppose the amendment, though his feeling was adverse to it; and he took that course the more especially, because twenty or thirty years must elapse before any practical effect could be produced by the original clause. Some members proposed that the House should

request a conference with the Lords; but lord Althorpe informed them, that he did not think they would succeed in a conference. Mr. Spring Rice expressed a hope, that as the bill now perpetuated the right of corporate freemen to vote, ministers would take care, in the next session, to introduce a measure having for its object the prevention of two evils, which, otherwise, would inevitably grow out of the system—first, to prevent the introduction of honorary freemen; and next, to provide that individuals, no matter what their political or religious opinions might be, should not be excluded from corporations, if they could make out a clear right to take up their freedom.

By the first week of August, all the three bills had received the royal assent. The new constitution was established, and the reformers immediately filled the House of Commons with complaints that, in its working, it was producing extensive disfranchisement among the new constituencies. By the English bill it was required, that the intended voter should have paid up, by the 20th of July, all rates and assessed taxes payable in the preceding April in respect of the premises on which he claimed. That period was now past; and it was stated that the non-payers were so numerous, as frightfully to diminish the new constituencies. Lord Althorpe himself moved (7th August) for leave to bring in a bill "for allowing further time for persons to pay the poor-rates, in pursuance of an act passed in the present session to amend the representation of the people in England and Wales." This was resisted on the ground that, the act contained no clause allowing it



be altered during the present session, and that the proposed new bill was a breach of pledge. The House had fully discussed and finally passed a measure effecting a great and extensive change in the constitution of the country; and that measure had gone forth to the country as being the final act of those who had originated it. Yet it was now proposed, contrary to the law and usage of parliament, to make an alteration in one of its most essential provisions. The alteration proposed was not unreasonable in itself, but there was great danger in permitting any alteration being made with respect to the reform act. This change was recommended on the ground of its expediency; but might not the same plea be urged for further alteration? and who could say when the desire for change, once indulged, would be satisfied? Mr. Hughes Hughes thought there was nothing in the want of the clause allowing the bill to be altered during the present session; because, by a clause in the boundary bill, it was enacted, that that bill, when it did pass, should be taken as part and parcel of the reform bill, as much as if it had been embodied in it; and by a subsequent clause in that bill it was enacted, that it might be altered or amended in the present session. Lord Althorpe was of opinion that this argument would not do; but there were precedents which would enable the House to get over the difficulty in point of form. There was one in 1557; a second in 1565; and a third, which appeared to him somewhat analogous to the present case, in 1795. On that occasion an act was introduced for allowing further time for persons taking out

tificates for wearing hair-powder

in pursuance of an act passed in the same session of parliament. Still, however, as the proposed bill was to be opposed, and as, in that case, it could not be carried through before the 20th of August, he withdrew it altogether, and the more readily because he was convinced that the inconvenience had been greatly exaggerated. Colonel Evans, however, took up the subject. He made, from certain returns, the following statements: In the parish of St. James, there were 3,000 houses of the value of 10*l.* and upwards. Only 891 of the occupiers of these houses had paid the poor-rates, and 1,600 the assessed taxes. It was clear, then, that 891 must be the *maximum* amount of voters in that parish; but from inquiries which he had made, he was convinced that the number of voters would not exceed 200. In St. Andrew's, Holborn, 1,200, out of a constituency of 2,600, had not paid their rates and taxes; and in St. Margaret's, Westminster, only 800 had paid, out of a constituency of 1,800. In the parish of Marylebone, there were 10,000 10*l.* householders. Of these only 2,900 had paid their poor-rates on the 20th of July; and the number of voters could not, therefore, be greater than that; but he had been given to understand that not more than 2,000 inhabitants had paid the assessed taxes. The effect of these two clauses was not confined to the metropolitan districts, but extended to all the boroughs throughout the kingdom; and taking the whole borough constituency arising out of the 10*l.* household occupancy, and of the scot and lot right, to amount to 300,000, he believed that no less than 200,000 would be disfranchised. He moved

a resolution, which, after adverting to the disfranchisement likely to arise, partly from the working of the 27th and 33rd clauses of the reform act, and partly from the stagnation of trade, produced by the long protraction of the reform measure, suggested that the mischief might be remedied by substituting for the 6th of April in the 27th clause of the reform act, the 25th of September last for the payment of poor-rates, and the 10th of October last for the payment of assessed taxes. Only two members, out of sixty-eight, voted for it; but the Colonel again brought the matter before the House on the 9th of August, by moving "that an address be presented to his Majesty, praying that he will be graciously pleased to prorogue the present, and convene another short session of parliament, to take into consideration the unexpected disfranchisement produced by certain restrictive clauses of the act for amending the representation of the people in parliament." He now stated that the effect of requiring the 10*l.* voters to pay up their rates and taxes before they could be registered was to encourage bribery. He had been informed, on good authority, that 1,100*l.* had been expended in one borough and 900*l.* in another, to meet the arrears of assessed taxes and poor-rates. He had received a statement, which he believed to be accurate, which proved that a vast number of persons, in various boroughs, would be disfranchised. In Manchester only 758 persons had registered; in Blackburn, 78; in Ashton, 75; in Bolton, 84; in Bury, 42; in Oldham, 40; in Salford, 40; in Warrington, 38; and in Rochdale, 40. If an effective

alteration were not made to prevent such extensive disfranchisement, they would certainly have a tory parliament hereafter, instead of a reformed one. In his opinion, the feeling produced by the operation of these clauses would be so violent, that the attempt which had been made the other day would be again resorted to, namely, a refusal to pay all taxes, and a run for gold. Ministers opposed the motion, which was not pressed to a division; and it was an excellent commentary on the accuracy of such statements, gravely put forth as grounds of legislation, that in Manchester, for instance, where according to Colonel Evans, only 758 persons had registered, about 5,000 registered electors actually voted.

The bill for dividing the counties which, under the English reform act, were to be divided, and for defining the boundaries of the different boroughs, formed an appendage of the reform act; the similar provisions required in relation to Scotland had been comprehended in the act itself, and the same was the case in regard to the few territorial changes which took place in Ireland. The principle of the English boundary bill had been fixed by the reform act. All that remained was matter of detail concerning particular boroughs, and produced scarcely any discussion of interest. The objections raised to the boundaries of boroughs, as laid down by the commissioners whom ministers had employed, principally related to the influence which, it was supposed, had here and there been given to individuals by adding large portions of their lands to a borough. Thus, it was objected that, in the case of Whitehaven, a rural district comprehending thirty

voters had been added to a borough which itself contained 500. It was insinuated that this had been done to conciliate the opposition; as this district was the property of Lord Lonsdale, who, it was stated, would acquire, by its junction with the town, a preponderating influence in the election. An amendment was moved to exclude it; but ministers opposed the amendment, and it was lost, Lord Althorpe stating that nobody who knew the state of parties would believe in these theories of conciliation, and that lord Lonsdale would have no more influence in the borough than the legitimate influence to which rank and property entitled their possessor. An objection of a similar kind was still more strongly stated against the boundary allotted to Stamford, by one of its members, who feared his seat would be endangered by the influence conferred on the marquis of Exeter. His statement was, that the commissioners, by including in the borough a certain parish called St. Martin's, had given the marquis of Exeter a preponderating influence, and that the inhabitants of Stamford would rather have their town disfranchised altogether. The commissioners, he doubted not, had done what in their judgment they considered most advisable; but unfortunately they had made an arrangement which would counteract the purpose of the reform bill, which was, to amend the representation, not to destroy it. He saw no reason why a rule should be applied to Stamford which was not applied to Windsor. In the case of Windsor, ministers refused to include Eton in the boundary, although it was connected with the former place by a bridge over the river, and contained 3,000 in-

habitants, whilst they added the parish of St. Martin to Stamford, although it contained only 1,000 inhabitants. In consequence of the addition of St. Martin, Stamford would be placed under the influence of the marquis of Exeter. Was it fitting that a bill which professed to amend the representation of the people, should itself create nomination boroughs? If the House should agree to the proposed boundary for Stamford, a new reform bill, and another schedule A, would hereafter be necessary. This statement was followed up by a motion to exclude the parish. In opposition to it, lord Althorpe said, that the commissioners could not have acted otherwise than they had done in regard to Stamford. No one could pretend that St. Martin's was not a part of the town. The rule on which the commissioners had always acted was this, that whenever the bounds of the town extended beyond the limits of the borough, the whole town should be included in the borough. If they had done otherwise in this case, they would have done so only because the marquis of Exeter had influence in the parish of St. Martin; but that argument was so contrary to every principle of impartiality and justice, that he could not bring himself to support it. He thought that the House would come to a wrong decision, if they should agree to the motion. He would take care not to be a *particeps criminis*, and therefore should vote against it. The motion found only nineteen supporters, while 172 voted against it.

Another measure connected with the changes in the representation was a bill brought in by lord John Russell to amend and render more

effectual the laws relating to bribery and corruption in elections. Its principal object, as stated by his lordship, was, to subject all cases of bribery to a more thorough investigation. With that view this bill extended the term for presenting petitions complaining of bribery at elections from fourteen days to two years. It also provided that it would be lawful for any person to petition the House during that, period, complaining that the election of any particular borough had been carried by bribery and corruption; and it further provided, that where the parties so complaining of an undue election, in consequence of bribery, should prove their case, all their costs and expenses in sustaining their petition should be defrayed by the public. It might be said that such a provision would give rise to frivolous complaints; but while that would not often be the case, it was plain that such a provision would be attended by the great and obvious advantage of promoting investigation into all cases of bribery and corruption, whereas, at present, the expense attendant on petitions complaining of bribery at elections prevented inquiry. The House did not seem inclined to receive it with much favour. Objections were stated against it from both sides. In particular it was argued that the extension of the period for petitioning would keep members in a state of vassalage for two years. A new petition might be presented every week, if it only related to a different alleged act. The terms, too, which defined what bribery was, were so vague, and yet so comprehensive, that it was impossible for a member to know, if a charge could be brought against him or not. There should be a

narrower limit for charges, as in offences against the usury and revenue laws. Other members, again, though they would not oppose the bill, thought that nothing but the ballot would prevent bribery; and others proposed that every member, on entering the House, should take the following oath; "I do solemnly swear that I have neither given nor promised to give, nor intend to give, or promise hereafter, by myself, agents, or friends, any money, security, order, or other thing of value, or any pecuniary fee, or reward of any kind, in consideration of any vote or votes, by which my return to this House shall have been promoted or secured." The bill, however, passed the Commons; but when it came into the Peers, lord Wynford moved the postponement of the committee for six months, for it was a bill, he said, which, if passed, would remain a dead letter, as it would be impossible to carry its provisions into effect. The lord Chancellor concurred with him, and the bill was thrown out.

During all the discussions on the question of reform, one objection against the destruction of the nomination boroughs had been, that, without them, there would be no certain means of members of parliament, who vacated their seats by accepting office under the crown, securing a new return. The most efficient ministers might be excluded from the House of Commons. To remedy this inconvenience, the marquis of Northampton brought in a bill to repeal, in so far as certain offices were concerned, the act of Anne by which an acceptance of any of them vacated a member's seat. The offices which he proposed to exempt from the operation of the statute were—first, all the

great offices usually held by cabinet ministers; and, secondly, by what might be called the principal law officers, whose presence was generally supposed to be necessary in the House of Commons. He had not decided whether the office of Secretary at War ought also to be inserted in the bill, but this was a question which might be considered in committee. On the motion for the second reading, the duke of Wellington said, there could be no doubt whatever that some measure of this description would be necessary, in consequence of the passing of the reform bill; but it appeared to him that the present bill was but half a measure, because it provided for only half of the inconvenience likely to result. Moreover he objected to the bill being brought forward by the noble lord in his individual capacity. As the bill was intended to remedy certain inconveniences arising out of a measure which government had brought forward, he conceived that it was the duty of the government to introduce it as a government measure, and to recommend it to both Houses of parliament upon their responsibility. The noble marquis must be well aware, that the object of this bill was to repeal a part of the act of settlement, and of other acts founded upon the act of settlement. This, surely, was no light matter. The lord Chancellor, too, thought that the second reading should be delayed, till the matter had been more ripely considered. The principle, on which the statute of queen Anne was founded, was this, that the crown should not have the power to choose for its ministers

any persons who were not agreeable to their constituents, whose suffrages they were sent back to solicit. The practice was undoubtedly attended with some inconveniences: nevertheless, the principle out of which it grew was embodied in the constitution; and he could not help thinking that an opportunity should be afforded their lordships of more maturely considering the bill. The second reading was accordingly postponed, and, as the end of the session approached, the bill was ultimately dropped. There seemed to be an impression that such a bill ought to originate in the House of Commons.

Mr. Bulwer, member for Coventry, moved an address to the king, praying his Majesty to give to the free inhabitants of New South Wales a representative system. He maintained they were entitled to it on the ground both of population and taxation. The colony possessed a larger population than twelve colonies which had representative assemblies, and its revenue was 100,000*l*. A strong government was no doubt necessary there for the protection of property; but a strong government for the protection of property was not a military governor armed with arbitrary power, but a government in which persons of property were interested. The ministers, while they opposed the address, admitted that New South Wales must in time have a representative body; but they did not think that the elements had yet been formed, out of which a safe constituency could be created. The motion had twenty-six votes in its favour, and sixty-six against it.

## CHAP. VI.

*Committees appointed by both Houses on Irish Tithes—Views of the Agitators—Declaration of Ministers—Report of Committee—Resolutions moved in Lords and agreed to—In the Commons, debate on Motion that the House go into Committee to consider the Report—Speech of Mr. Sheil—Resolutions moved in Committee, similar to those of the Lords—Divisions on them—Bill founded on the Resolutions brought in and passed—Statement of the ulterior measures of Ministers in regard to Tithes, and Motion for leave to bring in a Bill to render the Tithe-Composition Act compulsory and permanent—Counter Resolutions moved by Mr. Grattan, and lost—Bill passed—Mr. Sadler's Resolution to introduce Poor Laws into Ireland lost by Nineteen—Bill against Party-Processions in Ireland.*

**N**EXT in importance to the changes introduced into the representation, and intimately connected with them in relation to the established institutions of the country, was the subject of Irish Tithes. The confusion and threatened rebellion, which sought to extort emancipation, had no sooner accomplished their object, than they attacked the revenues of the Irish protestant church, odious and tyrannical in their eyes as catholics, and extremely inconvenient because they implied the payment of money. Precisely the same organized tumult and menaced dissolution of the bonds of civil society, which had been employed to open the doors of parliament, and of the government offices in 1829, was directed to batter down the church in 1831 and 1832. One demand conceded was the parent of a new one; agitation, like love, had an appetite, which grew by what it fed on. To debar Catholics from any civil rights filled Ireland with

disaffection, rendering it an unsafe habitation, and a dangerous sore on the body of the empire. To call upon Catholics to pay tithe and rates to a protestant church had now reproduced all these symptoms; and again concession was brought forward to manifest its sovereign virtues.

In the Speech from the Throne, his Majesty had told the parliament, "In parts of Ireland a systematic opposition has been made to the payment of tithes, attended in some instances with afflicting results; and it will be one of your first duties to inquire whether it may not be possible to effect improvements in the laws respecting this subject, which may afford the necessary protection to the established church, and at the same time remove the present causes of complaint." Both houses accordingly appointed select committees "to inquire into the collection and payment of tithes in Ireland, and the state of the laws relating thereto."



While the committees were sitting the work of insubordination in Ireland was proceeding with increasing vehemence and multiplied terrors. The Catholics seemed determined to fix for themselves what the report should be. Their organized system of resistance went to shew that to enforce payment of tithe was impossible, and that therefore tithes must be entirely abolished. The instruments, which they employed, had already been used in similar contests. They consisted simply in depriving of all security for life or property every man who demanded or received tithe, or who paid, or who was concerned, in any manner of way, as process-server, proctor, attorney, or constable, in enforcing payment, or with the sale and purchase of goods distrained by the authority, of the law in default of payment. These approved means of 'agitation' were pressed the more vigorously, that the Catholic agitators and his Majesty's ministers entertained very different opinions as to the manner in which the tithe question ought to be treated. The former demanded utter and absolute abolition of tithe. The church that received it was a protestant church. The greater part of those who paid it were Catholics, having a church of their own, and deriving no benefit from the protestant establishment. But to make Catholics pay for the support of a protestant church, was unjust and unchristian; therefore the tithe must be abolished. This was their logic, and this their conclusion. Ministers, however, entertained no such views. Although they thought that the collection of tithes might be so regulated as to remove many causes of complaint which they considered well-founded, they were not

prepared to abandon completely the protestant church of Ireland as a national establishment, or deprive it of the funds without which it would lose that character. The most moderate form, in which the demand, of the Catholics were put forward, was, that the tithe, if not abolished, and likewise the church lands, should be applied to the maintenance of the poor; but ministers set their face likewise against this proposition. On presenting a petition which prayed for this conversion of the church lands, Earl Grey declared, that not only did he not approve of such a measure, but that if a project of that nature were proposed, it should receive from him the most determined opposition. He saw the urgency of effecting some improvement in the mode of making provision for the clergy in Ireland; but he never could think of making any such improvement without fully securing to the church its just rights. To avoid misrepresentation, and to put an end to unfounded rumours which had been industriously circulated, — rumours which were connected with the opposition given to the payment of tithes, and which had a very bad effect in the present situation of Ireland, — he felt it right to say, that he thought it absolutely necessary, before they proceeded to legislate on this subject generally, that the authority of the law as it at present stood should be fully vindicated. In every case where they were called for, the powers of the law had been strenuously exerted, so far as they could. Government were determined that the existing law should still be strictly enforced, in order to produce those effects for which its powers were originally granted; and if those powers

were ultimately found to be inefficient, he should not hesitate to propose a bill to give to the government still greater authority. The committee of the House of Lords presented their report on the 16th of February, and the committee of the Commons, on the 17th. They did not exhaust the subject, but were confined to what was the point demanding the most immediate attention, some provision for the clergy, who now, for more than a year, had received no stipend. The report stated that in different parts of Ireland, particularly in the counties of Kilkenny, Carlow, and Tipperary, and some districts of Queen's County, resistance had been made to the payment of tithes, supported by

means of organized, illegal, and in some instances armed combinations, which, if allowed to continue, and to extend themselves successfully to other districts, would be applied to other objects, and ultimately subvert the dominion of the law, and endanger the peace and security of society. As a consequence of these proceedings, it appeared that in the districts where resistance had been made to the payment of tithes, the clergy, had in many instances, been reduced to the greatest distress; and the following was stated by the committee to be the amount in these districts, of the arrears of tithes, or composition for tithes, viz.—in the dioceses of

OSSORY	{	In Compounded Parishes	-	-	-	-	£14,345	
		In Uncompounded ditto	-	-	-	-	10,130	
								24,475
LEIGHLIN	{	In Compounded Parishes	-	-	-	-	18,092	
		In Uncompounded ditto	-	-	-	-	2,700	
								20,792
CASHEL and EMLY	{	In 113 Compounded Parishes	-	-	-	-	23,490	
		In 25 Uncompounded ditto on an average of those which have been compounded	-	-	-	-	4,197	
								27,687
FERNS—supposed to be about			-	-	-	-	-	7,000
KILDARE—ditto			-	-	-	-	-	5,000
Total								£84,954

To meet this pressing necessity the committee recommended that his Majesty should be empowered to advance to the incumbent, where tithes or compositions in lieu of tithes had been illegally withheld, or to his representatives, upon a petition verified by affidavit, sums not exceeding the amount of the arrears, due for the tithes of the year 1831, proportioned to the incomes of each, according to a scale diminishing as their incomes

increased: and that, as a security for repayment of the sums so advanced, his Majesty should be empowered to levy, under the authority of a law to be passed for that purpose, the amount of arrears due for the tithes of the year 1831, without prejudice to the claims of the clergy for any arrear that might be due for a longer period, reserving, in the first instance, the amount of the advances so made, and paying over the remaining

balance to the legal claimant. Where the arrears were due in a compounded parish, the sum to be advanced was to be regulated by the composition; in other cases, where there was no special agreement, by an average of the *bona fide* produce of the tithe to the incumbent for the years 1827, 1828, and 1829. As the crown, on making the advances, was to become entitled to the arrears, it was recommended that the Attorney General should be empowered to sue for them either by petition in Chancery or Exchequer or by civil bill at the county Quarter Sessions. —Although the committee was not yet prepared to report upon the system in general, they added they had already seen enough to satisfy them “that, with a view to secure both the interests of the church and the lasting welfare of that country, a permanent change of system will be required; that such a change, to be safe and satisfactory, must involve a complete extinction of tithes, including those belonging to lay impropriators, by commuting them for a charge upon land, or an exchange for or investment in land, so as effectually to secure the revenues of the church (as far as relates to tithes), and at the same time to remove all pecuniary collisions between the parochial clergy and the occupiers of land.”

On the 8th of March, the marquis of Lansdowne moved, in the House of Lords, resolutions adopting and embodying the recommendations of the report. No opposition was offered to them. The peers who were most zealous on the side of the church agreed that some measure of this kind had become necessary in order to relieve the clergy who had in the

mean time been deprived of their incomes; and the only resolution which went farther was that which embodied the opinion of the committee of the necessity of extinguishing tithe by converting it either into land, or into a rent or charge upon land, but without pledging the House to the one or to the other. In its present shape; therefore, it was not formally opposed. The marquis of Lansdowne said that Ireland furnished great facilities for providing for the clergy either in the one way or in the other; but he thought it clear that no man, who read the evidence taken before the committee, could think of proposing that tithes should continue on their present footing. The evidence of the archbishop of Dublin was decisive on this point: “As for the continuance of the tithe system, it seems to me that it must be at the point of the bayonet—that it must be through a sort of chronic civil war. The ill feelings, which have so long existed against it, have been embodied in so organized a combination, that I conceive there would be continually breakings out of resistance which must be kept down by a continuance of very severe measures, such as the government might indeed resolve to have recourse to for once, if necessary, but would be very unwilling to resort to habitually, so as to keep the country under military government: and the most intelligent persons, and the most experienced I have conversed with, seem to think that nothing else will permanently secure the payment of tithes under the present system.”

The earl of Wicklow said that he would strenuously object to the proposal for converting the tithe

into a rent charge. To constitute the landlords of Ireland tithe-proctors to the church would be fraught with the worst consequences. The other plan, that of commuting tithes by exchanging them for land, was infinitely preferable, and was not by any means an impracticable measure. He hoped, however, that, in any arrangements which might be adopted, church cess would be included as well as tithe. The bishop of London, who had been on the committee, and the archbishop of Canterbury, approved of the resolutions. No other prelate stated any objection; and therefore the duke of Wellington was willing to assume that the plan involved no substantial injury or injustice to the church; but still the manner of making the permanent conversion would require much consideration. Would it be fair or just to throw the tithes on the landlord during existing leases? and was it probable that the landlords would be inclined to recover them from the present occupiers of the land? It might be very fair and just to do so as regarded future leases, as had been done by the Composition Act; but it would not be equitable to throw the tithes on the landlord, under existing leases, when he could not indemnify himself except by the vexatious process of recovery against the present occupier. To the purchase of land, to take the place of the tithe, he saw no objection, if the bishops had none; but, in that case, the government must collect the tithes, or throw them on the landlord. The earl of Eldon expressed his disappointment that the bishops should have concurred in a measure which went to annihilate existing church property, while it was left altogether

undecided what sort of a thing was to come in its place. He saw that opposition was useless, but the measure should not have his assent. It would be absurd to suppose that what was to take place in Ireland in this instance, would not be sure afterwards to take place in England also. The earl of Aberdeen could not understand why, when the House was not asked to pledge itself to either of the two plans mentioned by the committee, it should be asked to pledge itself to the extinction of tithes, on one of two principles, neither of which the government itself had yet adopted. Might not, in the course of discussion, a third plan arise, more desirable than either? The marquis of Lansdowne explained that, if a third and better plan should be suggested, the House would not be barred from adopting it. All that was aimed at by this part of the resolutions was, that there should appear on the part of the House a determination to take up the question with a view to an equitable accommodation—an accommodation to be proposed after carefully considering all the various modes in which the amount of the tithe could be taken from the land—and from the land only could it be taken. This was the principle on which the report proceeded. All the committee had as yet intended to do was, to state their opinion that the burthen should be laid upon the land for the purpose of preventing those collisions between the clergyman and the tithe-payer, which, at present, were unavoidable.

On the same day Mr. Stanley brought the subject before the House of Commons, where, however it did not pass over by any

means so smoothly. As he intended to state the whole plan which government had in contemplation, with all its details, he moved, for that purpose, that the House should resolve itself into a committee on the report, a course which appeared to him most advisable, putting it in his power to give every explanation which might be required, and to take the opinion of the committee separately on each of the resolutions. The motion was vehemently opposed by the Irish members, who disliked what was known of the plans of government, because they did not go far enough, on the ground that the propositions intended to be brought forward ought to be fully explained, before the House was asked to go into committee upon them; and forthwith they proceeded to discuss in the House the very measures, their pretended ignorance of which was made the ostensible cause of resisting the motion. The attack was begun by Mr. Brownlow, one of the members for the county of Armagh, and once a violent Anti-Catholic Tory, but, of late, an ever-changing liberal. Professing ignorance of any thing more than was contained in the report, he maintained that it was too partial and imperfect to be made the subject of consideration in committee. Why not wait till all the evidence had been taken, and the whole subject investigated by the committee? Why thus press forward to consider the case of the parish clergymen, without entering into the consideration of the other interests involved in this question? The case of the incumbent and of the tithe-payers should be considered together. It was only in that way that satisfaction could be given to all parties, and something like a

settlement effected. The resolutions founded on the report, went to this fearful extent,—that laws of severity and coercion were to be entrusted to the authorities in Ireland, to recover the dues of the parish priest. Now this was a proposition which would not serve the parish clergyman, and which would rather injure than advance the object which the government professed to have in view. Would laws of coercion and severity dry up the bad blood which, there was now between the church and the congregation? The mere announcement of the intentions of government on this subject would act as an excommunication between the parish clergyman and his parishioners. He believed that no motion could be more injurious to the Protestant establishment in Ireland than that which should be founded on this report. The only way to save the Protestant church in Ireland was to remove from it the cause of injustice, of tumult, and, it might be, of civil war. He did not mean that the sums due to the clergy under the old law were not to be at all recoverable under the new; but this he did state, that, if the object was, to protect the parish clergy and to recover their incomes for them, government was entering upon a wrong course in adopting measures of severity and coercion. Government should come manfully forward, and, by the side of severity and coercion, should state in distinct terms that it was prepared to make, not only a reform, but a radical change and amendment in the church of Ireland. Then he for one should say that he had no objection to measures of severity for a season, provided that he saw government winning the hearts or

the people to itself by measures of conciliation and reform. It was very desirable to know—and therefore he complained of the partial nature of the report—whence had sprung the opposition to the payment of tithes in Ireland. Here was a committee appointed to inquire into the subject of tithes, and yet not one word was as yet to be found upon its minutes explanatory of the origin of this opposition. Whence arose the unanimous resistance to the payment of tithes? In his belief the opposition by no means sprung, generally speaking, either from severity or oppression in their exaction. Such undoubtedly was not the case in respect to the clergy of Ireland; for generally speaking that body had exercised their rights with singular moderation and temper in all the difficulties by which they had been surrounded. It should be distinctly understood that the resistance to the payment of tithes could not be said to emanate from severity on the part of the clergy of Ireland. Whence, then, did it arise? and in replying to that query, he would ask another question—Whence arose the Reformation in this country? It arose from this fact, that the sober people of England, at that time having adopted a new religion, could not be brought to see the wisdom or common sense of being of one religion, and having religious pastors of another. Such was now the case in Ireland, where the great majority of the people were of one religion, and the great body of their pastors were of a different faith. He begged, however, not to be understood as confining the opposition to the payment of tithes to the Roman Catholic population, for that was by no means the ex-

tent of the opposition. The voice of the Presbyterians, a numerous and respectable body, was for a free trade, if he might so call it, in religion—and that every man should pay the minister of the church to which he was attached, without being called upon to contribute to the support of the ministers of any other creed. With respect to the opinions entertained by the members of the Protestant established church, what would be the conduct and demeanour of the Protestant of the north of Ireland, if he were called on to pay for the support of the Presbyterian minister and the tithe-proctor of the popish priest? The sturdy yeoman of the north would soon say he bore the king's arms, and would use them sooner than submit to such insult and injustice. But, even supposing that all tithe was to go as at present to the maintenance of the church establishment, would they be satisfied to uphold the dignitaries of the church in pomp, wealth, and splendour, while their working clergymen received such a miserable pittance as that which now was held to be a remuneration for their multifarious and onerous duties? The outcry of the Protestants was against a system under which the poorer clergy of their church was so miserably remunerated; and hence the Protestants sought a change in the system. Such a system could not long continue. Something must be done, and done speedily. If the government hesitated to come forward with a popular measure, they would inevitably lose their hold on church revenues and tithes. He therefore moved "that the debate be adjourned, until the committee had gone in a full inquiry into the subject



tithes, and the appropriation of church property in Ireland, and until the evidence and report of the committee came before parliament.

Mr. Sheil, in support of the amendment, said, that he and those who thought with him did not oppose the resolutions, for they had not sufficient sagacity to conjecture what course government meant to take. Wait, they said, for the final report: do not decide on a document resting on evidence all on one side. Catholics had been excluded from the committee. This was unfortunate enough; but, to complete the calamity, out of eighteen they had examined only one Catholic witness, and then they produced their report, and went on with their examination. It was as if the jury were desired to retire on the closing of the plaintiff's case: they find their verdict; judgment (the report) is pronounced; and then the defendant (Ireland) was requested to proceed with her case. Was this just, was this fair dealing? Eight clergymen, four policemen, a secretary to an ecclesiastical commission, a register to an ecclesiastical court, had been examined, and on such evidence, a report recommending coercion of the people, and largesses to the clergy, was produced. If the committee had confined themselves to the recommendation of charity to the clergy, the Irish members could not complain; but they came here with a purse of gold for the church, and a rod of iron for the people. "Infatuated men!" exclaimed Mr. Sheil, what are you doing? "Look before you, you are walking blindfold upon the brink of a gulf. You will exasperate Ireland, —you will array the nation against

you; then will come a general election in November; reform will have thrown the close boroughs open; the democracy will have become gigantic,—then will the people have their revenge. The poisoned chalice will, in just retribution, return to your own lips. It is your turn this session, but it will be ours the next. What are you doing? Succouring a clergy from whom you expect nothing—affronting and irritating a nation from which you look for much—opening the boiling fountain of popular indignation—leaguering a nation against you by your threats of coercion. We have served and supported you, and stood by you in many an emergency, and have received your praise for our zeal, our vigilance, our devotion to your interests;—but, alas! what can we do for you in the hurricane of popular passion which you are about to raise? Our voices in your behalf will be like whispers in a tempest; our arms are not strong enough to swim against the tide that knows no returning ebb, and if we attempt it, we shall be swept before it. Reform, an election in November, and Ireland exasperated for the sake of certain persons of the Establishment! Awake!—you are on a precipice, and you must be rudely shaken, to rouse you from your perilous slumbers." Mr. Sheil then proceeded, in the same fervid style, to discuss the plan which was supposed to be unknown, and to let out the true ground of objection, viz., that the Protestant church of Ireland was still to be preserved. "We are told," said he, "that relief is offered. What relief? It is a mere mockery of the national understanding. Tithes are to be abolished. How? By providing for

them a sepulchre from which they are to arise in an immortal resuscitation. We are informed that tithes are to be abolished, and, *uno flatu*, that the revenues of the church are to be effectually secured on land. What does this mean? Is it not a palpable contradiction, or is it not as if a judgment creditor were to say, "Sir, this judgment of mine may be inconvenient, and in order to accommodate you, I shall oblige you by taking a mortgage, or, if you prefer it, a slice of your estate." Relief! Pray content yourselves with a violation of our rights, and do not offer an insult to our ordinary sense. It is better to speak out at once. The collection of tithes is not the question. The amount of tithes is not the question—John Hampden was sent to gaol for 20s.—but the question is, shall the tithes be otherwise appropriated? I tell you, that a deep conviction has seized hold of the nation's faculties and taken possession of its entire heart, that church property is the nation's property. It is idle to tell the people that it rests on the same right as private property, and that an inroad upon one will afford a precedent for an invasion of the other. This is mere phrase—grainless and empty apothegms—with which we are not to be caught. The Irish nation look back to their history, and they find tithes originally divided into four parts, of which one-fourth was given to the poor, and another fourth was given to the priest of the poor. They find the Protestant gentry and aristocracy leagued in 1735 against the tithe of agistment, and pronouncing their parliamentary anathemas against all those who should, in violation of their ordinances, dare to pay it—

they see the statesmen of their own House of Commons (for once they had a House of Commons), the best and most enlightened Irishmen, confederated against tithes—they behold the pinacles of the Establishment shivered by the lightnings of Grattan's eloquence—they look round Europe, and they see tithes every where abolished—in France, in Belgium, in Holland, in Sweden, in Norway, in Denmark, in Prussia, in Tuscany, in Scotland—they see in Scotland a poor church in a rich country, and in Ireland a rich church amidst a starving people; and with these facts before them, and with the recollection fresh and vivid of what they have themselves achieved—conscious of what was effected by a virtuous organization—knowing that here they had a body of firm and dauntless advocates of their rights—they have arrived at the determination to put to these hideous abuses, these enormous anomalies, an immediate end. This may not be—I perceive it is not relished by either party; but it is the truth. If it was found necessary to content the English people upon reform in parliament, is it perfectly unnecessary—is it matter for consideration, scepticism, and cabinet debates, whether you must not content the Irish people upon the church? Take warning in time—what is your policy? Do not so far delude yourselves as to think that by dallying with the evils of Ireland, by procrastinations, and putting off, and sometimes giving buffets, and sometimes offering caresses to Ireland, you can effect her tranquilization, or, I should rather say, that you can save the country. For it has come to this pass—and it is not I alone that tell you this—events

—those tongueless but eloquent monitors—call on you, as they pass, to throw your prejudices aside, to legislate not on the views of party, but on the principles of human nature, and, from the calamities that impend upon us, to rescue that country which, under all changes of government, and all vicissitudes of party, appears to have been foredoomed to distraction, and predestined to misrule.”

Other Irish members supported the same views, and brought out this additional ground of objection, that, even if every thing else in the supposed plan were right, it was wrong to pay the arrears to the clergy, and then ask re-payment by coercive measures from the debtors. They ought to be paid out of the church property. Sir Henry Parnell said, that no Irish member would object to the clergy getting their arrears, and in that even O’Connell agreed; but Sir Henry was perfectly sure that the intended mode of re-imbursement was the worst that could be devised, and would be altogether ineffectual. In short, he, and many others, thought they knew pretty accurately the measures about to be proposed—believed they would be most mischievous—and therefore were right not to lose this opportunity of opposing them. Mr. Henry Grattan, one of the members for the county of Meath, assured the House, that, if the Irish members agreed to impose a tax on the country for the support of the clergy, and convert Catholic landlords into tithe proctors for a Protestant church, they dared not face their constituents again. He did not object to pay a tax for the support of the existing incumbent, provided that, at his demise, he could be assured that the money

drawn from the people would afterwards be appropriated to other useful objects, and not exclusively applied to the maintenance of the Protestant clergy.

Lord Ebrington, who had been a member of the committee, and concurred in its report, expressed nearly the same sentiments with these Irish members. That the clergy of a church essentially Protestant should derive the remuneration of their services, or only the slightest part of it, from persons of quite a different persuasion, was, in his opinion, an anomaly in morals and politics injurious to the cause of pure religion, and ultimately destructive of the Protestant church itself. No measure ought to satisfy the people of Ireland, but one which, while it preserved a due regard towards existing interests, would involve a thorough reform of the monstrous church establishment, so as, in fact, to make it truly a Protestant church—that is, a church adapted to the wants of the Protestant inhabitants, and them only. But, besides the difficulties which lay in the way of such a measure of reform, it evidently did not fall within the scope of the tithe committee.

Sir Robert Peel considered all discussion of the nature of the anticipated propositions to be foreign to the question before the House, which was this, whether these propositions should be explained now, or after the House had gone into a committee? and he thought that the latter was the course most conformable to the practice of the House. It was supposed that one portion of the proposition of the government would be a vote of money to the suffering clergy of the established church in Ireland; and if so, it was impossible that

the government could make such a proposition, while the Speaker was in the chair. Again, there was among the standing orders of the House, one which went to provide against any improvident change, in any thing connected with the religious institutions of the country, and to prevent the propositions of any government with respect to them from being hastily adopted. By this standing order it was provided that no alteration, with respect to matters of religion, should be proposed, until it had first been agreed upon in committee. He did not mean to say that the question of tithes was a matter of religion, but he thought it was a subject closely connected with the established religion of the land. A third argument in favour of the original motion was, that it gave the House a security against being taken by surprise, because, while the Speaker remained in the chair, the House must by their vote affirm or negative the propositions, but by going into committee they would have an opportunity of a second discussion on the report being brought up. By supporting the motion no member pledged himself in the least to the proposition of the government.

Lord Althorpe and Mr. Stanley complained, that all ordinary modes of proceeding had been set at nought by members promulgating opinions, in no very measured terms, regarding propositions which they had not waited to have explained or even stated. The only thing in favour of such a course, that had even the appearance of reason, was the allegation, that the House had not sufficient evidence to warrant their going into a committee,—that the examination had hitherto been *ex parte*, confined to one side—the

church side. But surely, if that *ex parte* examination should have induced the committee to make the report they had, it ought to satisfy those who were advocates of the other side of the question. But information was not so imperfect. It was proved that very many of the clergy were in very great distress; that a spirit of organized opposition to the payment of tithes had existed for some time in one part of Ireland, which, if not checked, would shortly extend all over that country; and it was true, the state of things in that country, generally speaking, was such as to induce the legislature to devise some measure of change in the tithe system. With such information before them, the committee only did their duty in immediately calling the attention of parliament to the state of Ireland, particularly to the situation of the Protestant clergy, who were deprived of their income by a combination against tithes, which was hourly spreading over the country, and called for an immediate stop. There, no doubt, was not yet sufficient evidence to have justified the committee in making a final report, and they had not done so; but was this a reason for refusing to proceed on what was sufficiently ascertained, and most pressingly urgent? The report of the select committee stated, that the law required alteration; but as long as it was the law, the government were bound to enforce it, and the people of Ireland to obey it. Were they to be told, that they must not attempt to enforce the law, because the people of Ireland would not obey it? The House were told that the declared intention of the government to enforce obedience to the law was a fatal announce-

ment to the people of Ireland. Was it not rather a fatal announcement indeed to the British empire, to say that parliament must not stir,—must not attempt—to enforce obedience to the law? Were those who resisted this motion prepared to say, that, in every case in which an ignorant and oppressed people, excited by inflammatory speeches, should signify their determination that a tax, which might be considered the easiest to be got rid of, was unjust, and ought not be paid, the law was at once to be set aside? If they were to wait two, or three, or four months longer, would it be more possible to vindicate the law than at present?

The Irish members pressed their amendment to a division, but only thirty-one voted in its favour out of 345. The night, however, having been lost in the discussion, the committee was delayed till the 13th.

On that day Mr. Stanley moved a series of resolutions similar to those which had been agreed to by the lords. The first was, “That it appears to the House, that in several parts of Ireland, an organized and systematic opposition has been made to the payment of tithe, by which the law has been rendered unavailing, and many of the clergymen of the established church have been reduced to great pecuniary distress.” He entered at considerable length into the evidence which proved both parts of this proposition; for it was evidence alone, he said, that could justify the bringing forward of extraordinary measures. It was clearly proved, that a system of opposition, which could not be overcome by ordinary means, was carried into effect by open violence and secret intimidation, or where those did not occur, by a tacit system of

co-operation which left no means of evading the laws unattempted. The mode of resistance, also, was such as rendered it extremely difficult to deal with the recusants. Every plan was adopted by which the operations of the law might be traversed: tithe-proctors and process-servers were violently assailed, impediments were interposed to prevent the seizure and sale of cattle; in short, every system of determined and organized opposition was manifested, that could be displayed by a whole population, acting as one man against the payment of a claim legally due. They had posts and signals to give warning of the approach of the police, on the appearance of whom the cattle were locked up; and when seized, detained in the pound, and sold, they were bought up by their owners on the day of sale. One paramount instance would illustrate the whole system. It was not only difficult to get a process-server to act, it was not only difficult to obtain the services of such a person, however great might be his own necessities, but in many large towns of Ireland it became impossible to prevail upon an attorney to take a fee in a case for the enforcement of tithe-dues. Mr. Fitzgerald said in his evidence, that “in most places, of late, the attornies have, generally speaking, been so intimidated, that they have refused to remove the tithe processes. In fact, one case came under my own knowledge, where four magistrates, from a remote part of the country, on their way to attend the Thurles quarter-sessions upon magisterial business, were mistaken at the entrance to the town of Thurles for four attornies, and the mob told them, on no pretence, to dare to move the tithe-



process, for if they did, they would never leave that part of the country alive." Intimidation in Ireland was very different from intimidation in England. English gentlemen were living habitually under the security of the law; in this country the law was considered sacred; the feelings of the population were enlisted on its side, and there was no man who did not consider it rather creditable than otherwise to assist in bringing a criminal before the tribunal of justice. Gentlemen accustomed to this tranquil flow of affairs could form no idea of the effect produced in Ireland by anonymous notices and threatening letters, which here would be treated with contempt. They could form no idea of the power which they exercised there, not merely on the minds of the ignorant and degraded, but on the minds of persons possessing intelligence and holding a respectable station in society. Nor could English gentlemen know how much easier those threats could be carried into execution, in a country where the inhabitants were scattered, and far from assistance, and where the bulk of the population, being short of work, were always ready to participate in acts of turbulence. In such a state of society it was not in the power of any police to save an individual, who, by his conduct, exposed himself to vengeance, from the consequences of that conduct. All that the military and police could do had been done; but how far they could meet this combined resistance might be judged from the fact, that, in the county of Kilkenny, the constant employment of an overwhelming force for two months, had enabled only about one third of the arrears of tithe to be collected, and at the expiration of that period, another

half year had become due. The evidence placed it equally beyond a doubt, that the result of all this had been to produce great distress among the clergy in the disturbed districts. Many of the witnesses stated, that they knew established clergymen in want of the common necessities of life. Sir John Hervey said, "a gentleman with whom I am well acquainted told me, that he had just been sending a sheep and a few potatoes, and a small note, to a gentleman who was formerly in comparative affluence, and that he had neither a shilling, nor a pound of meat or bread in his house."

This evidence had been substantiated over and over again by the strongest declarations from persons who could have no interest in the matter—who could have no motive for misrepresentation. But the most striking illustration of the effects of the system of combination on the clergy was contained in a letter from the Rev. G. B. Moore to Sir William Gosset, dated Ardara, 7th of January, 1831. The letter ran thus—"Sir, compelled by necessity I humbly take the liberty of making a statement of my grievances, in the hope of your being pleased to give me some redress. Three years have elapsed since the appointment to my present curacy took place; for the first year my salary was punctually paid, but for the last two years I may say it has ceased. Although my rector is most anxious to pay me my small pittance, yet from the continued reluctance and increased resistance to pay tithe, he has not the means. It is true, I could apply to my diocesan, but he can give me no redress; for even if the parish were sequestered, I should be unable to collect the



tithe ; but why should I be so devoid of feeling as to worry and harass an unfortunate gentleman, situated as he is, having a family consisting of a wife and seven children to support, for which he can with difficulty procure food and raiment, although at this moment upwards of 1,400*l.* is due by his parishioners. In the mean time I would respectfully enquire what am I to do? In another month two years salary will be due, and in less than another month I shall be obliged to make up the sum of 100*l.* Small as my salary is (70*l.* per annum), still to a man having a family and a small establishment to support, as well as to try to support an appearance with those in my own rank, it must be very distressing to want that trifle such a length of time—a trifle compared with what I have suffered in doing my duty amongst a population of 1,200 Protestant souls, scattered through mountains and bogs, in a parish extending about ten square miles along this wild coast. Situated as I now am, without a prospect of my salary being paid, I may naturally expect incarceration, and if deprived of my liberty, must of course lose my situation, and have all my professional prospects blighted.”

The existence of the combination, and of the pressing distress which it occasioned, being established, the second resolution provided means for its relief in these terms: “ That in order to afford relief to this distress, it is expedient that his Majesty should be empowered, upon the application of the lord lieutenant, or other chief governor or governors of Ireland, to direct that there be issued from the consolidated fund such sums as may be required for this purpose ; That the sums so issued

shall be distributed by the lord lieutenant, or other chief governor or governors of Ireland, by and with the advice of the privy council, in advances proportioned to the incomes of the incumbents of benefices wherein the tithes or tithe-composition lawfully due may have been withheld, according to a scale diminishing as the incomes of such incumbents increase,”—and to this resolution he anticipated no objection. It was from no fault of the clergy that this resistance and the consequent distress had arisen. They had been no harsh taskmasters or unyielding exactors. It appeared from the evidence taken before the committee, that, in many instances, clergymen, with a deep sense of the necessity of recovering their rights, but with a deep sense also of the awful responsibility of resorting to extremities against their fellow-creatures, had abstained from adopting the offer of Government to use the strongest measures for the restitution of their claims, and had preferred encountering the distress which necessarily followed. It was not the clergy, but the law, that had fixed the amount of tithe, and they were not accused of having excited opposition by demanding more than they were entitled to.

As government was to advance the money, the third resolution provided for its re-imbursement—“ That, for the more effectual vindication of the authority of the law, and as a security for the repayment of the sums so to be advanced, his Majesty may be empowered to levy, under the authority of an act to be passed for this purpose, the amount of arrears for the tithes or tithe-composition of the whole or any part of the year 1831, without prejudice to the claims of the

clergy for any arrear which may be due for a longer period, reserving, in the first instance, the amount of such advances, and paying over the remaining balance to the legal claimants." This was the "coercive measure," against which so much vehemence had already been displayed. This was what had been stigmatized as "cramming the tithes down the throats of the Irish people at the point of the bayonet." But was the House prepared to say that parliament should open the public purse for the relief of those individuals who had suffered from the system of opposition, and that no ulterior steps should be taken to have the money so advanced refunded by the persons who had been agents in these lawless proceedings? If they were prepared to advise such a course, he would say that they were about to grant a premium on disaffection—to offer a bribe for resistance to authority; and they would thereby virtually pronounce sentence of condemnation on those who had submitted to the law. Was it an example to be held forth to the country, that, because Leinster had revolted against the law, while the other sections of the empire maintained their obedience, therefore the public purse must compensate those who suffered by the misconduct of Leinster, while the authors of the evil escaped free? The present was not a government quick in calling for extraordinary powers, but he must say, that it would not be worthy the name of a government if it should suffer the population—he meant that part of it which avoided the payment of its just debts—to persevere in daring the constituted authorities, and setting the law at defiance. The sum advanced, if levied at all, ought

to be levied from the parties who were bound to have paid it without rendering coercion necessary. In effecting this object, they had precedents in the years 1786, 1787, 1799, and 1800, which, though not quite parallel, corresponded to the present state of things, so far as regarded the impossibility of the clergy obtaining their dues, in consequence of the disturbed state of the country, and the existence of illegal combinations. On former occasions of a similar character, service of notices upon each individual tithe-payer, in serving which almost all the scenes of outrage occurred, had been dispensed with and publication of the notice in some conspicuous place in the parish was held to be sufficient to authorize the enforcement of the claims. This, to a certain extent, would be the course adopted at present. There would be this difference that, in the present case, the clergyman, in return for what he received, was to transfer his claims to the government; but, on the other hand, in former instances, extraordinary encouragement had been given to the sufferers to visit their own wrongs on those with whom they had originated. It was a more equitable plan to place in the unprejudiced hands of government the power of enforcing the payment of such arrears as could reasonably be enforced, and which might be drawn from the solvent tenants without pressing too severely upon the struggling and industrious. It was well known to individuals present in this House, that never were the rents better paid in Ireland than in this year. Yet when 1*s.* 6*d.* or 2*s.* an acre were demanded, landlords dwelt upon the privations and indigence of the holders of small farms. In

levying the arrears, it was not proposed to inflict any severe penalty, but merely to do away with the previous proceedings which formed a source of litigation, and prevented the clergy from benefitting by the law. The two parties would come as heretofore with the same evidence before the same court; only the full powers of the clergyman would be in the hands of the government.

The last resolution pledged the House to an alteration of the existing tithe system, on some principle of commutation; and without such a pledge, Mr. Stanley said he would have felt great reluctance to press the other resolutions. Though he was not prepared to say what the change should be, the very measure, for which he now called, was in itself proof that an alteration was required in a system which had continually invoked the interference of parliament, and which had been for centuries the fruitful source of disunion and bloodshed in Ireland. The amount of the tithe was not the real grievance of the people of Ireland. It was not because they paid 1s. or 1s. 3d. an acre under the name of tithe, that they felt impatient and anxious for a change. He was not going to inquire by whom the tithe was paid: the fact could not be doubted that it appeared to the people to be a charge paid beyond the rent, and to persons who, according to their expression, gave them nothing in exchange. He would admit the grievance, as it was felt by the tenant, of being called upon to pay the minister of a religion not his own. He did not assert that he actually made this payment; but the money came directly out of the pocket of one who was a member of the Protestant

church. So far, then, as the religious argument was concerned, it was not altered whether the payment was one shilling or one farthing; for the payment of the latter sum was as great a burden as the payment of the former on every man who was a conscientious dissenter from the established church of Ireland. It might appear extraordinary, but so the fact was, that one grievance consisted in the smallness of the sum which each individual paid in the shape of tithe. The demand of the clergyman for a sum in itself insignificant, being repeated in different shapes at different times, acted as a perpetual blister upon the person who had to pay it. The analysis of the returns of the number and value of the assessments for the payment of tithes in each of the last fifty parishes in Ireland, in which the composition act was carried into effect, shewed that 12,824 persons were called upon to pay 11,300*l.* tithe. Now this 11,300*l.* tithe was not all paid at one time, nor to one person; but it was paid to the rector, to the vicar, sometimes to the curate, and always by half-yearly payments. Thus there were often six, seven, or eight claimants on the tenant and as they made their demands twice a year, the amount paid to each claimant, on which actions might be brought, and what was worse, heavy fees might be paid, was often as low as three farthings for each half-year. They had been told, that in England no such demand could be made, and that it was harsh in the clergy of Ireland to enforce it. But it must be recollected, that the minute subdivision of land in Ireland, that fatal curse under which it now laboured, was the cause of this grievance.

ance, and that, if the clergyman were to forego the tithe which he was entitled to receive from the garden of the cotter, he must often forego the whole of his income. It must also be recollected that it was the landlord and not the clergyman of Ireland who was guilty of making this minute subdivision; as that there was no need to vindicate the clergyman from the charge of extortion in getting his living out of the tithe extracted from these minute portions of land. With a view to remedy the real grievance which now pressed upon Ireland,—with a view to the alteration of a system which was the fertile source of litigation and bloodshed,—with a view to place the clergy of the established church in a situation in which they might be more useful than they were at present,—with a view also to promote the harmony and consequent prosperity of all classes and denominations of his Majesty's subjects in Ireland,—parliament was bound to hold out some definite hope and pledge to the people of Ireland, that it would give to them an extensive change in the present system of maintaining the clergy of the established church. In whatever way that change might be made, at whatever time it might be effected, it must ultimately prove a charge upon the land. The committee said, “that the satisfactory operation and permanent maintenance of any plan that can be adopted must depend upon mature previous consideration of its practical details. An arrangement is to be made, not merely of a prospective nature, and attaching to new and unsettled relations between the parties concerned, but an arrangement by which existing and frequently conflicting interests

are to be affected, and which is to be general in its operation throughout a country wherein the tenure of land is peculiarly complicated and various in its character.” If, then, ministers, before they were prepared to lay their measure of relief in detail before the House, called upon it on the one hand to give a pledge for a specific alteration of the system, and, on the other, to vindicate the authority of the law, before the violations of it which now existed became more grievous, their excuse must be found in this consideration,—that much of the efficacy of their remedy depended upon the promptness with which it was applied.

The dissenters from the resolutions were found, as before, principally among the Irish members, and their disapprobation was chiefly confined to the last resolution, which, though it was to introduce a change of system, implied that the tithe was still to be a fund available to the established church. They maintained that it was unjust to demand extraordinary powers for the execution of a law admitted to be bad and mischievous; that every renewed attempt to recover tithes by coercion, so long as they were applied to their present purposes, would only precipitate the downfall of the whole establishment; that some adjustment must be made by which the church property should be applied to the support of the three prominent sects in Ireland, instead of being bestowed exclusively upon one which did not comprehend more than a third of the population. It was right to relieve the clergy who were now suffering, and so far the resolutions were unobjectionable; but they held out no hope of any substantial amend-

ment of the existing state of things, which was almost that of civil war. What irritated Ireland was, not the amount, but the appropriation, of the tithes; that appropriation the resolution went to confirm, and only promised an alteration in the mode of carrying it into effect. Mr. Sheil put upon the last resolution this gloss, that it did not pledge the House not to appropriate church property as it might deem fit, and insinuated that this was what the ministry, perhaps, truly meant, though they could not venture to speak it plainly out. He referred to the fact that for the words "revenues of the church," which had been used by the committee, other words had been substituted in the report, as a proof that the question, how church property should be appropriated—was to be left open. The government, he said, might no doubt find the case one very difficult to deal with, and might deem it convenient to wear a mask, in order to conceal its intentions; but to him it appeared that such dissimulation, in a matter of such pressing urgency and momentous importance, involved a great and grievous mistake. The government might find it convenient to wear a mask; but there must be a new appropriation of church property: to that the government must eventually come.

Of the English members, Mr. Hume joined the Irish opponents of the church, and Sir Robert Peel supported the plan of the ministry, for, although hostile, on general principles, to pledges that the House would do something at a future period, he thought that the interests of religion and of the Protestant church required, that the present case should be made an

exception. The proposal to delay the question till the select committee should have given a final report, was unnecessary and mischievous. If the spirit of combination was to be checked at all, it was true mercy to check it as soon as possible. Any delay would only add wings to its already rapid progress. If the adoption of necessary measures was postponed until the close of the session, every tithe-payer in Ireland would suppose that parliament was indisposed to enforce the legal demands of the clergyman; and the consequence would be, that, before the end of the year, the opposition to the payment of tithes would have spread from the six counties, in which at present the spirit of insubordination prevailed, to the whole thirty-two counties of the country. What would be the use of attempting to arrange any plan for the commutation of tithes after they were practically abolished? If interference was necessary, he believed it to be, it ought, both in justice and mercy, to be speedy. He would, therefore, consent to the resolutions, but only on this distinct understanding, that the revenues of the church were to be appropriated to strictly ecclesiastical purposes. Lord Althorpe, who followed, said, that, like Sir Robert, he supported the resolutions on the understanding that the church revenues were not to be applied to any other but church uses.

The first resolution, which merely affirmed undeniable propositions of fact, was agreed to without any division. On the second, which authorized the king to advance money for the relief of the suffering clergy, Mr. Hunt divided the House; for he did not think, he said, the distress of the clergy



of Ireland was such as to induce him to consent to money being taken out of the pockets of the people of this country for their relief. The church of Ireland was rich, and well able to afford relief from its own resources, as the emergency of the case might demand. He was supported by a minority of eleven against eighty-six. The third resolution was likewise agreed to without any division. To the last of the resolutions an amendment was moved, "That the sum advanced by his Majesty's government for the relief of the clergy of the established church in Ireland, shall be raised, for the purpose of repayment, by such means as the legislature shall adopt for the future support of the clergy in that part of the United Kingdom." Out of 155 members, no more than twenty-five voted for the amendment. On the bringing up of the report, Mr. Wallace, member for Drogheda, moved, as an amendment, a series of resolutions embracing the whole progress of the tithe question, from the king's speech at the opening of the session to the present time, and deprecating in the strongest manner the proposed power of levying the arrears of 1831, designed to be vested in the crown, as being improper, and, from causing an union between the church and crown, unconstitutional. This amendment was negatived without a division; and a bill was ordered to be brought in to carry into effect the original resolutions.

When the bill, which was brought in, was about to be read a second time, (April 6) the Irish opposition pressed for delay, on the ground that it was inconsistent with sound policy to carry through this coercive measure, before introducing

the other measure for the change or extinction of tithes—that if the arrangements regarding the latter were complicated, and required time, that was the best possible reason for delaying the former—and that Mr. Stanley, the Irish secretary, ought to take advantage of the approaching Easter recess to pay a visit to Ireland. To the principle of the bill the same objections were repeated which had been stated against the resolutions. It was added that the substitution of the crown for the clergyman in suing for the arrears, besides being a measure for which no precedent could be found, was impolitic, because it necessarily would place the executive in the most odious of all lights before the eyes of the people of Ireland. The second reading, however, was carried by 119 to twenty-one. The bill underwent no alteration of any importance in the committee, and was read a third time, on the 16th of April, by fifty-two to seven. The discussion on the third reading was very brief; the Irish members who opposed the bill being few in number, and having already exhausted their argumentation more than once. It was chiefly remarkable for the declarations of some of them in regard to emancipation. Mr. Petre, member for Ilchester, having said that, as a Catholic, he felt himself bound by the solemn engagement which he had come under on entering the House, to support the protestant church, and the protestant establishment, both in England and Ireland, as part and parcel of the constitution of the country, Mr. Sheil declared, that, according to his interpretation of that oath, he would feel bound in conscience and in duty, if a proposition should be made to strip



land, except the receipt of a chief rent which was not increased, the leases being for lives, and renewable for ever. The ground so let was again underlet and sub-divided, till at last there came to be six or seven removes between the owner of the fee and the occupying tenant. He proposed, that at all future periods the last holder of the land, having an unexpired tenure of ten years, should be made responsible for the amount of the composition during his lease. When his lease expired, if there remained three holders, then the responsibility passing through each at intervals of seven years, would ascend to the real owner of the soil holding in perpetuity, and the claim of the church would settle into rent, and as rent alone would the tenant be liable to pay it to the landlord. As to the means of recovering composition from the landlord, it was proposed to abolish all distress for tithe, and in lieu of it, to make parties liable to an action for damages by a civil bill. If they were one year in arrear, as a summary remedy a receiver would be appointed to receive the rents. If the landlord failed in paying a sum so small as the amount of the composition must be in comparison with the return of the land, it was not dealing too hardly with him to subject him to the same proceedings that would be taken for the recovery of a mortgage under the Irish law. As the composition was now to be permanent, it had likewise been thought expedient that, if parties who had already compounded, alleged they had been misled, or had acted in ignorance of facts, the lord-lieutenant and privy council should, on hearing the allegations, have the power to revise the composition by sending

a commission to investigate the case. To enable parishes, who, having compounded in 1824, had neglected, in expectation of legislative changes, to revise their composition in 1831, the period for so doing was to be extended to November 1832.

The second bill which government proposed to introduce, was to have for its object to constitute the bishop and beneficed clergy of each diocese into a corporation, for the purpose of receiving the tithes for the whole body, and dividing them for their common benefit in the proportions to which the respective parties would be now entitled. This mode would be of the greatest possible benefit to all concerned, and it would be consistent with strict justice, if the property of the church was considered to be, not that of the individual, but of a whole body in trust for a common purpose. By constituting the bishop and beneficed clergy of each diocese a joint body, for the purpose of collecting the tithe, all grounds of angry collision between any individual clergyman and his parishioners would be removed; for the inhabitants liable to tithe in each parish would not then have to arrange with the individual clergyman, but with the whole body. It would also be for the advantage of each clergyman, to be joined in a mutual risk and mutual gain with the whole body. It was also of great importance that individuals liable to the payment of tithe should have the advantage of dealing with this body, either for the composition of tithe, or its commutation for land. It might not always be easy to find a portion of land to meet the value of the particular amount of the tithes of one parish where

the tithe-payer was disposed to redeem it by an exchange of land; but in that case the joint body, as having the command of the joint-stock purse, might treat with four or five parishes disposed to redeem their tithes, and enter into an arrangement with the whole at once; and thus what would be difficult in the case of one parish, might be easily and satisfactorily settled, when the body had to include four or five or more parishes in the arrangement.

The third and last of the intended bills was likewise the most important. The object was, to provide for a commutation of the tithe on the same principle as the land tax redemption in England, or the redemption of quit-rents in Ireland,—that was, that the party liable to the charge might redeem it, and the money thus paid for the redemption of tithe would go to a fund as a provision for the clergy in the proportions to which they were at present entitled. To facilitate this redemption by the owner of the land, it was proposed that persons, whose estates were already incumbered, might still mortgage them for the farther sum necessary to redeem the tithe, this latter mortgage to have precedence of all others at present on the land. It was the opinion of the committee, from the evidence which they had before them, that so far from this plan being objectionable to the other creditors, they would willingly consent that the new mortgage should have the priority, inasmuch as it would give a greater security for the payment of the other claims on the land. It was also proposed to enable land owners to sell a part of their entailed estates in order to free the rest from incumbrance. In making the calculations on this subject, he

went upon the assumption that there would be a diminution of fifteen per cent on the amount of the income now received by the clergy of Ireland. Allowing the landlord to redeem his tithe at sixteen years' purchase, it would enable the clergy,—supposing the plan was to be generally adopted of redeeming tithe,—to purchase land at fifteen per cent less income than they now derived under the composition act. Taking the amount of tithe in Ireland at 600,000*l.*; its value at sixteen years' purchase would be 9,600,000*l.*; this sum laid out in land at eighteen years' purchase would bring an income of 510,000*l.*; but supposing the landlord to get the money by which he was to redeem the tithe, at 5 per cent interest, it would have the effect of making the whole land of Ireland chargeable with 120,000*l.* a-year less than what it had now to pay. He did not, however, say that the money might not be had at a less rate than 5*l.* per cent; and, looking to the advantage which would result to the country from the whole measure, it might be worth while to consider whether it would not be expedient to advance the money from the public for this purpose, to the landlords at a lower rate of interest than 5*l.* per cent, by which they would be still greater gainers. It was likewise to be left open to the state to purchase the claim of the clergy for tithes, leaving them to invest the produce in that way which they might think most advantageous, and leaving to the state whatever advantage might accrue from the advance of the money for that purpose. All conveyances of property necessary for the purposes of the measure were to be exempt

from stamp duties—all sales under the bill, exempt from auction duties; and there were to be no charges for searching registries. This would be a great sacrifice on the part of the public; but considering the advantages that might be expected from the whole measure, it ought not to be thought too much, if it could afford an additional inducement to landlords to accept the terms held out to them.

Mr. Stanley stated that it was not intended to carry all these bills through at so late a period of the session, nor was it necessary that all the parts of the plan should go on together. The first and second were independent of the third; and he therefore moved for leave to bring in a bill for making the tithe composition act compulsory, and the composition permanent, and another for establishing the ecclesiastical corporations. The latter, from the period of the session which had already arrived, was subsequently delayed, and only the composition bill pressed on.

The motion was at once met by Mr. J. Grattan, one of the members for the county of Wicklow, who moved, as an amendment, the following resolutions,—“that it is essential to the peace of Ireland that the system of tithes in that country should be extinguished, not in name only, but in substance and unequivocally: That in coming to this resolution, we recognize the rights of persons having vested interests, and declare that it is the duty of parliament to provide for those persons by making them a just compensation: That we also recognize the liability of property in Ireland to contribute to a fund for supporting and promoting religion and charity; but

that such may and ought to be quite different in the mode of collection, and much lighter in effect, than that raised by the system of tithes: That we are also of opinion that the mode of levying and the application of such fund, and its distribution, ought to be left to the decision of a reformed parliament.” The motive for delay was evident enough. The supporters of these resolutions were naturally desirous, that any approbation of a plan which they detested, might be procrastinated as long as possible, and they hoped, not without reason, that the more democratic constituency established by the reform acts would give them a much greater weight in a new parliament. The session was drawing so near a close, that they seemed to entertain hopes of rendering the measure abortive by mere opposition. Ministers were compelled to adjourn the debate of the 3rd of July to the 10th, in consequence of Mr. O’Connell threatening to move repeated adjournments. On the 10th it was found necessary to adjourn it again to the 13th, and all this on the motion for leave to bring in the bill. On the merits of the ministerial propositions they maintained, and referred to the evidence taken before the committee as proving their allegation, that the composition act, so far from comprehending a system which deserved to be confirmed and extended, had altogether failed, and, even in its best form, was not the sort of remedy with which Ireland would now be satisfied. Even the Protestant archbishop of Dublin admitted this in his evidence before the Lords: “the account that is generally given is, in the first place, as I have already

said, that universally the opposition is quite as strong to composition rent as to tithe, and, generally, the clergy have given as their opinion, that if it had been introduced perhaps earlier, and had been made compulsory and universal, it might have produced good effects; but I have met with very few, if any, who think that it can be of any benefit, now the system of opposition to it is as fully organized as against tithes." "Then your grace is not of opinion that the rendering it compulsory now would be a sufficient remedy for the present evil?—"I am inclined to think that it is too late." "Does not your grace believe that the mere circumstance of a composition would be so great a relief to the majority of small farmers, that it would tend considerably to allay the present excitement?"—"I rather doubt that; because I have found the opposition now prevailing to be as strong against composition as against tithe. I formerly stated that I had inquired particularly upon that point." Bad as it was, ministers, by what they called their improvements were only making it worse. If the landlord did not pay, a receiver was to be put on his estate. What, if the landlord did not himself get his rents? No matter, a receiver still; a receiver with all the costs and ruin which accompany that incubus on property. Tenants for life were to be allowed to mortgage, to cut off remainder men, and give security to the mortgagee over all creditors. This would shake and disturb the whole frame of property in Ireland, and overthrow all the fixed rules and canons of the law, to consummate this favourite project. Were ministers aware that, by taking this course, they

were likely to put all the gentry of Ireland at the head of the population, and to array and marshal them against tithes? Did they not know that the Irish Protestant House of Commons, in 1735, passed a resolution against the tithe of agistment, and afterwards abolished it. Or did they imagine that the progeny of such progenitors would acquiesce in a tax at which their fathers spurned? Would they not consider it an invasion of property to make their lands liable to that tithe of agistment from which it was exempt by act of parliament? And would they not be tempted to join the cry for the repeal of the Union, when this was the fashion of English legislation? The second part of the plan appeared to be still more astounding in its absurdity. It was wild and monstrous, at a time when all the abuses of corporations were staring the people in the face, to erect new ones, and these, too, sacerdotal incorporations, the worst of all. They might be erected, but they would soon have to be abated; and their architects, instead of framing props and buttresses for the church, would but accumulate a new heap upon the tottering pile, and lay it at once in ruin. It was next proposed to expend 9,600,000*l.*, the produce of the sale of tithes, for the benefit of the church. The church had already 1,000,000 of statute acres. Was not this sufficient? Would parliament throw an additional mass of property into mortmain, make it inalienable, and thus swell the episcopal principalities with this portentous augmentation? What a preponderance would it give to churchmen at the hustings! Was this the object of the ministry who have given reform to Ireland? It

was preposterous to hope that the property of the church would remain untouched. — Millions of Irishmen—Catholic, Presbyterian, and Protestant, would disabuse of this error those who clung to it, but at a time when the error, though it might be lamented, could not be repaired. The whole plan was a mockery—mere imposture. It would only aggravate the evil. It would but “East Retfordize” the church; and instead of tending to re-establish peace in Ireland, it would disorganize the only remnant of civil society, by confirming an impost to which the Irish people were unanimously opposed.

Mr. O’Connell descanted, in his usual strain, on the insulting contempt with which, according to him, all Irish affairs were treated. He did not know, he said, a more contemptible mockery than the species of discussion respecting Irish affairs, which had taken place on the motion before the House,—a discussion, in which the state of Ireland was totally forgotten, the conduct of the government to that country overlooked, and the entire union of the nation treated as if it were a combination of artificers, who had joined together for the purpose of robbing their employers. The people of Ireland were considered as colonists, their wants and desires were neglected: for could it be doubted, that, if they had a legislature of their own, tithes would not exist for one moment longer in that country? The whole nation was combined against the system. All the Presbyterians, — all the Dissenters,—all the Catholics, and a great portion of the Protestants, were united in the condemnation of a system, from which only a part, 1 that an exceedingly small part,

of the people derived profit. Yet how was it proposed to remedy the grievance? By keeping up the present Protestant establishment in Ireland—the most monstrous establishment that ever existed in any Christian country. Not the slightest hope or expectation was held out that that overgrown establishment was to be reduced within the bounds of common sense or utility. They had, to be sure, the recommendations of a committee; but that very committee was an additional insult. In framing it, ministers had re-enacted the principle of the penal laws, by excluding Catholics from it. If they were excluded, because it was thought they would naturally be opponents of the tithe system were no declared supporters of the system admitted into the committee? Were not the two members for the Dublin University, who, from their position, were necessarily the advocates of the Church Establishment, members of that committee? Then why were not gentlemen, who really represented the people of Ireland, and with whom the people sympathized, admitted? The reason was, that the government was afraid they would require what it had no disposition to grant. The people of Ireland, however, treated the report and resolutions of a committee so constituted, as he treated them—with the most ineffable contempt. The people of Ireland were determined to get rid of tithes, and get rid of them they would. They had triumphed over the duke of Wellington, and were not afraid of being conquered by the Irish secretary. No power in England could put down the combination against tithes. They might change its shape, or make it disappear for a day; but unless



some measure of essential relief and amelioration was granted, it would assume another form, and reappear with redoubled force. Then would be felt the ill effects of delaying justice to Ireland. Those who once perceived the distinction between tithes and private property, would at length be led to confound them together, and the elements of society would be broken up, while the right hon. secretary was talking to tithe committees about his plans and his schemes. He did not wish to strike off one shilling from the income which the existing clergyman received. Ministers had it in their power to make that bargain now, but would not be able to do so next year. He would give the present clergy the full amount of their livings, but he would not continue, after their deaths, to pay enormous incomes to those who had no spiritual duties to perform. He would also propose to levy a tax on all property, landed, personal, and funded—for he saw no distinction between them—for the purposes of religion and charity. By religion he did not mean the established church, or any particular church; but he meant to a certain extent every church; and without doubt, the established church included among the rest. A small glebe of ground might, with advantage, be given to the pastors of each, of such a value as would prevent any necessity for their pandering to the passions of their parishioners for support, but would not place them above the necessity of performing their duty satisfactorily. All that ministers ought to do at present was, to take a vote of credit for the relief of the distressed clergy, and postpone every thing else till a reform parliament had been elected.

The English members of both parties supported the ministerial propositions, and, on a division, only thirty-two members voted for Mr. Grattan's resolutions, 124 voting against them.

The bill having been brought in, passed the second reading without opposition; when it was going into committee, Mr. Sheil moved an instruction regarding the first fruits.

Mr. Stanley in opening the ministerial propositions had adverted to the payment of church cess and church rates by Catholics, and had expressed an opinion that they might be got rid of by a proper application of the first fruits. That revenue was applied in England to the improvement of the smaller livings; in Ireland, to the repair of churches; and if a general composition of tithe should take place in Ireland, it would not be difficult to make the first fruits available, for the purpose of freeing the Catholics from these obnoxious rates. Mr. Sheil now moved that the committee should be instructed to recite in the preamble of the bill, that the tithe-composition should be extended, with a view to the levying of first-fruits according to their real value, and to such future appropriation of them to the purposes of religion, education, and charity, as, after making a due provision for the maintenance of the church, should to parliament seem proper. The preamble, he said, already bore that the view of the bill was to effect a commutation. This view was stated in the bill. The Government ought not to stop there; they had themselves declared that they intended to relieve the people from the church rate, by levying the first-fruits to their full extent,—that it was



their object, to ascertain the full amount of tithes through Ireland, in order to tax the church:—the committee had reported that the people ought to be relieved in this particular:—wherefore then was it not set forth in the preamble? These declarations by the minister were not sufficient. They should be embodied in the bill, and the Legislature should give an earnest of their determination to rescue the Irish nation from an imposition the most odious in the annals of ecclesiastical taxation—the building of the temples which were dedicated to a religion with which the people had no concern. This proposition was not unreasonable; it was in accordance with the pledges given by the ministry. The introduction of this undertaking in the bill would mitigate its bad effects, and neutralize to a certain extent its bad and baneful qualities. In answer, Mr. Stanley admitted, that he agreed in the principle that the fund arising from the first-fruits should be available for the repair and building of churches. There was not a warmer advocate than himself for carrying this object into effect, when he saw an opportunity. But when asked “Why not say in the preamble of this bill that there should be an abolition of church rates and cess for the future?”—he was not prepared to go to that extent; and if he wanted a warning against such pledges, he had had it during the present session, when he had seen words taken up, and wrested to a meaning they did not bear. If he consented to the introduction of these words into the preamble, he should be told that church rates were abolished, and that the people so understood it. He objected to the introduction of the recital

into the preamble, because this was not the time or occasion to introduce it; and he did not wish to declare that to be the object of the bill which was not the object of the bill, however it might be likely to be effected by the passing of the bill. Mr. Sheil, however, pressed his motion to a division, when it was rejected by seventy-nine to eighteen. The bill then proceeded without any further discussion, or serious resistance, and passed the lords without delay; the duke of Wellington, on the second reading, expressing a wish that it should pass unanimously, believing it to be the commencement of a series of measures which had for their object the pacification of Ireland.

Mr. Sadler attempted, during the session, to get the House to pledge itself to the introduction of a system of poor laws into Ireland. On the 19th of June, he moved a resolution, declaring it to be expedient to form a provision for the poor of Ireland, by means of a levy upon real property in that part of the United Kingdom, and particularly upon the property of absentees. He founded his proposition on what he stated to be the clear right of the poor to be supported, and which he maintained to be a right founded in nature, and on the very basis of civil society. All the authorities in highest estimation, both religious and civil, were unanimous in the assertion of this principle, and in all the countries of Europe it had been put in practice, with the exception of Ireland, the very country which it was least fitting should be an exception. It was unnecessary to enter into any proof that Ireland abounded with poverty which required to be relieved. If

that proposition was true of England or Scotland, it was infinitely more true of Ireland. One fact in regard to Ireland was this, that the mortality caused by distress was so great, that the persons there, who lived beyond forty years, was fifty per cent less than in this country. One great source of the evil lay in the merciless clearances, which Irish landlords frequently made on their estates, of what they called surplus beings, and on which they would not venture if poor laws existed. A great hardship, too, was inflicted on the industrious classes of this country, by the want of such a law in Ireland, while it existed here; for one consequence was, we had to support a great portion of the Irish poor, who flocked hither for employment and subsistence. The market of labour, too, both manufacturing and agricultural, was overloaded by starving Irish paupers, who came to England, and worked at reduced prices. As the result of such a state of things, the population of both countries would be brought down to the same level of wretchedness. The objection that had been raised, on the score of the difficulty of introducing poor laws into Ireland, was the same that had been made against their establishment in this country, and would be found as futile in the one instance as it had proved to be in the other. He was well aware that the abuses and malversations attendant upon them here, formed, in the eyes of many, a strong objection to introducing them elsewhere. But this was the common sophism of arguing against the use of a thing from its abuse. A provident and useful system of poor laws there certainly might be; and to frame such a system

became both the wisdom and the justice of parliament.

The ministry opposed the resolution. They would have been happy, they said, to have seen brought forward, and would have given their best attention to, some specific and tangible plan, but they objected to mere vague resolutions, which in truth meant nothing, or, at least, nothing practical. If the measure were adopted, the responsibility would rest with government, which, the proposition being once assented to, would be called on to carry into effect the wishes of parliament. It was but fair, therefore, that they should know to what they were to be pledged; and the House should not be required to take a step, which could not be retraced, in utter ignorance of the plan that was to be proposed for their adoption. Besides, it was universally expected that, on the termination of the present session, parliament would be dissolved, and why pledge a future parliament to an abstract principle? Neither was it correct to say that, in Ireland, the law altogether disregarded the distresses of the poor. Great improvements had been effected in the lunatic asylums, fever hospitals, and county infirmaries, which were supported, not merely by voluntary contribution, but likewise by compulsory assessments. An act, too, had been passed in this very session, introduced for the purpose, in a great measure, of ascertaining how far there existed in Ireland such a parochial machinery as would render safe the introduction of a system of rates for the relief of the poor in that country. It was an act for amending the 58th and 59th of Geo. III., for the prevention of contagious and epi

demical diseases in Ireland. Though it only gave vestries the power to assess for the purpose of meeting the extremest cases of distress, ministers had been anxious to ascertain from a trial of it, how far a more extensive system of compulsory relief might be safely introduced into Ireland, and a clause in the act gave authority to vestries to assess for the relief of distress coupled with disease, and also enabled them to afford employment to able-bodied persons who could not get work. Were not the persons who discharged these duties officers for the relief of the poor, and was not this act a poor law? As to absenteeism, they not only thought it difficult to define what kind or length of absence was to constitute absenteeism, but that it was neither just nor politic to make a distinction between those who resided, and those who did not.

The Irish members took different sides of the question. Some of them, among whom was Mr. Sheil, thought the proposition premature, until the experiment had been tried of applying to the maintenance of the poor a portion of the property of the Irish church, a purpose for which it had, in a great measure, been originally designed. Others of them resisted it on the ground, that nothing could justify the introduction into Ireland of a system that had produced such effects in England, before trying here how far it could be freed from its mischiefs. Mr. O'Connell, who had pledged himself over and over again to his Irish followers, that, if he were once in parliament, he would never rest till poor laws were established, not only opposed the motion, but denounced it as hostile to the best interests of Ireland, and contrary

to the principles of revealed religion. The latter proposition he proved by this argument—that poor laws tended to contract that voluntary social charity, which was the only beneficial source of poor relief, and which was the keystone of christianity. They, therefore, were neither more nor less than a practical system of infidelity, and as such ought to be scouted by every man who, like himself, was deeply impressed with the truths of religion! The probable injurious consequences of poor laws again he proved thus—that they would tend to perpetuate, in Ireland, the estrangement which existed between its rich and its poor inhabitants. At present the Irish poor hated the rich, because the latter neglected their duty towards them—because they refused to aid them in their necessities, after having ground them to the dust by oppression and misgovernment; but if the rich were compelled to do their duty towards their poorer countrymen, and to contribute, whether inclined or not, to their relief, when in want or sickness, the result must be, that the rich would hate the poor, and that the estrangement between them would be widened, perhaps irretrievably.

Ministers did not meet the motion with a direct negative. They satisfied themselves with moving the previous question, which was carried by a majority of 19, 58 having voted for the resolution, and 77 against it.

Another measure adopted with the view of aiding the maintenance of public tranquillity in Ireland, was an act prohibiting party processions. It prohibited all assemblages and processions, in which music was employed, and arms and

banners displayed. It gave power to a single magistrate to convict and fine. Although its terms were general, it was scarcely concealed that it was mainly directed against the Orangemen. It was opposed, therefore, by the Irish tory members, both on account of its partiality, and the time at which it was sought to hurry it through, immediately before the 12th of July, the great Orange festival. They complained that this was partial legislation, and most unwise. Was it politic for the government to force into the arms of the great repealer of the union, the Orangemen of Ireland? Why did not the government put down the political unions in England, the seditious speeches against the hereditary nobility, and the seditious flags? Whilst all these were suffered to riot in sedition, ought this partial measure of legislation to be directed against the Orange processions in Ireland? There were thousands of rebels in Ireland, bound together by oaths to put down property and exterminate its possessors. Let the government put down these bands of rebels, and do their duty, when assassinations were taking place in open day, instead of alienating the minds of the loyal. The Orangemen had never used force except when they themselves had been made the objects of ferocious and brutal attacks, and only then in self-defence. The time at which the measure was brought forward, was a manifest insult to the Orangemen, who were just on the eve of the celebration of their annual festivities. Other societies were permitted to remain untouched in Ireland, and this special measure was directed against the Protestants alone. While its object was

to put down one party, it would tend to create great excitement in another, and was more likely than any thing else to produce some dangerous collision.

Mr. Stanley answered, that if the bill would, in practice, specially touch Orange processions, that could only be because the Orangemen persevered more than others in keeping up feelings of religious animosity. These processions had a manifest tendency to provoke a breach of the peace, and cherish party feelings. It was, therefore, the duty of the legislature to put them down. He referred to two charges delivered by Mr. Justice Jebb in Armagh and Donegal, in 1829 and 1830, and in which that learned judge stated that, though such processions might have been laudable and praiseworthy, they were, under the circumstances of the present time, decidedly objectionable. The legality or illegality, of those processions, as laid down by that judge, did not depend on the intentions of the parties themselves, but upon the effect which their conduct might have on the feelings of others. If that was a sound legal opinion, it placed the magistrates of Ireland in considerable difficulty as to whether they would be justified in preventing such assemblies. The necessity, therefore, for a new enactment arose from the difficulty and delicacy of the circumstances in which the magistrates in Ireland were at present placed; and it was for the protection not only of the magistrates, but also of all well-disposed persons, that the legislature now came forward to declare all such processions and assemblies illegal, and that all who attended them should be liable to be proceeded against

for a misdemeanour. It had been asked whether the Orangemen should not be allowed to go to their respective churches on that day, and celebrate a festival, the celebration of which was prescribed by their liturgy. Did their religion or their liturgy prescribe that they should go to church with party banners and ensigns and with loaded muskets, to take advantage of the exasperation of a population whose feelings such conduct must inevitably offend? This measure was only intended to put down such political religious processions and assemblages, and it would in no way interfere with the innocent local festivals to which he had referred. Moreover it was absolutely necessary to pass the bill without delay, for even legal opinions had been taken by the leading Orangemen as to the legality of their making a strong demonstration of force on the approaching 12th of July. The Orangemen had determined to make a greater display than they had ever before done on that day; and if they should be allowed to do so, he had no doubt that bloodshed would be the consequence. The loyalty of the Orange party had been talked of. He would put their loyalty to the test. Let the legislature pass this bill, and then it would be seen whether the loyal Orange body would be ready to obey the law, when there was no doubt as to its meaning. If they would not do so, let the House hear no more of the loyalty, not of the Protestants of Ireland (for that he did not doubt)—but of the Orangemen—of a body of persons, the bigotted partisans of an expiring faction, who would be loyal just so long as it suited their convenience to be so, and who would pre-

serve the peace just so long as the preservation of it was to be placed entirely in their hands, and to be effected solely through their means and instrumentality.

Notwithstanding this, however, the bill was not pressed on before the 12th of July, which passed over without disturbance, and without any uncommon display of Orange power. The bill was lost sight of till the 8th of August, a week before the prorogation, when it was moved that the House should go into the committee. This was vehemently resisted, on the ground that it had been understood the bill was dropped, and under that impression most of the members opposed to it had left town. Mr. Stanley denied he had said any thing to justify such an understanding or impression, and insisted on proceeding. The delay had been only temporary; and, in the House of Lords, when the duke of Wellington mentioned that many of his friends, both in that House, and in the Commons, had departed in the belief that the bill was not to be pressed this session, lord Melbourne and the marquis of Lansdowne stated, that the delay had been allowed to intervene only because it was apprehended that, if passed so immediately before the 12th of July, it might do mischief among men whom it would find in a state of excitement. Sixteen times Mr. Stanley's motion that the speaker should leave the chair was met by the amendment that the House should adjourn; but his opponents at last gave in, and the bill was carried. Its main provision was, "That from and after the commencement of this act, any body of persons who shall meet and parade together, or join in procession, for the purpose of

celebrating or commemorating any festival, anniversary, or political event relating to, or connected with, any religious distinctions or differences between any classes of his Majesty's subjects or of demonstrating any such religious distinction or difference, and who shall bear, wear, or have amongst them any fire-arms or other offensive weapon, or any banner, emblem, flag, or symbol, the display where-

of may be calculated or tend to provoke animosity between his Majesty's subjects of different religious persuasions, or who shall be accompanied by any music of a like nature or tendency, shall be and be deemed an unlawful assembly, and every person present thereat shall be and be deemed guilty of a misdemeanour, and shall upon conviction thereof be liable to be punished accordingly."



was 2,933,319*l.*) were deducted, there would be an excess of expenditure in 1831, over the income, amounting to 698,857*l.* Thus the state of the revenue in the commencement of 1832, was, that, instead of having a surplus of 2,913,673*l.*, as in the commencement of 1831, yet the expenditure of 1831 being 19,646*l.* below that of 1830, there was a falling off to the amount he had already shown; and the real excess of expenditure over income in 1831 was the sum of 698,857*l.* The result would have been very different, had not the revenue suffered so much from the very large reduction of taxation which took place in 1830. Some of these had been made by the right hon. gentlemen who preceded him in office, and some he (lord Althorpe) had made. The loss to the Customs by these reductions were—on coals and slate, 900,000*l.*; on barilla, 35,000*l.*; on sugar and molasses, 300,000*l.*; making 1,235,000*l.*; which—along with the deficiency of corn duties, 250,000*l.*,—made altogether a deficiency in the Customs duties of 1,485,000*l.* The loss to the Excise was—on beer 2,350,000*l.*; leather, 200,000*l.*; cider, 50,000*l.*; printed calicoes, 675,000*l.*; candles, 20,000*l.*; making together 3,295,000*l.* Thus, the whole reduction of taxation in 1831 amounted to 4,780,000*l.* From this let there be deducted the loss on Customs and Excise of 3,365,412*l.* and there would be a balance of 1,414,588*l.*; a clear proof that the resources of the country had increased by nearly a million and a half in the consumption of articles not affected by taxation. He owned that he had been too sanguine in the calculation he had made of increased consumption from reduced

taxation. But it was satisfactory to observe that, notwithstanding the great reduction of taxation, the deficiency in the revenue had been so small. The revenue of 1830 was 50,056,616*l.*; deduct taxes repealed (as in 1831) 4,780,000*l.*, and it would leave only 45,276,616; showing a deficiency, as compared with the revenue of 1831, of 1,147,824*l.* If to this assumed deficiency of 1830 (on the supposition that the same amount of taxes had been repealed in that year as in 1831, and that the repeal had come into operation in the year) were added the deficiencies in stamps, taxes, and miscellaneous imposts, making 372,389*l.*, less by the increase in the post-office and unclaimed dividends, 165,620*l.*,—the additional deficiency would thus be 266,764*l.* which, added to the amount he had already stated of 1,147,824*l.*, would show an actual improvement in the revenue of 1831 of 1,414,588*l.* He felt it right to state that the deficiency at the end of the year was increased in the April quarter. The reason was, that a large part of the supplies which had been voted were spent in that quarter, and the estimates for the year then coming on had not, at that time, been reduced. The deficiency in April, 1832, amounted to 1,240,413*l.* His Majesty's ministers finding this deficiency, endeavoured to meet it, not by an increase of taxation, which they did not think the country could at the present moment afford, but, as far as they could, by a reduction of expenditure. They had lowered the estimates by more than 2,000,000*l.*, and had reduced official salaries and appointments, to the utmost of their present power. They had followed an administration which,

he was quite ready to admit, had acted with great vigour in making official reductions. In the three years of the duke of Wellington's administration, the reductions of salaries and offices amounted in 1828 to 188,941*l.*, in 1829 to 42,019*l.*, and in 1830 to 109,129*l.*, making a total diminution in those three years of 340,089*l.* Their successors in the first year of their being in office, reduced to the amount of 234,353*l.*; and the reductions since made, including those already fully effected and those which were in progress but not yet completed, were not less than 100,000*l.*, thus

making reductions to the amount of 334,353*l.* in less than two years. The noble lord now entered into a statement of the gradual decrease of the surplus, which in April, 1831, amounted to 2,913,673*l.*, through each quarter from that time to the quarter ending the 5th instant, when the deficiency, as compared with the year ending the 5th of July, 1831, amounted to 2,661,848*l.* He then proceeded to the estimates for the year ending April, 1833. The estimate of the expenditure from April, 1832, to April, 1833, was as follows :

					5th April, 1832.	5th April, 1833.
					£	£
Dividends	-	-	-	-	24,361,512	24,340,000
Annuities	-	-	-	-	3,319,314	3,340,000
Interest on Exchequer Bills	-	-	-	-	662,984	685,000
Other charges on the Consolidated Fund	-	-	-	-	1,741,384	1,971,000
Army	-	-	-	-	7,551,024	7,087,682
Navy	-	-	-	-	5,842,835	4,878,635
Ordnance	-	-	-	-	1,478,944	1,424,688
Miscellaneous	-	-	-	-	2,900,430	1,969,371
Total	-	-	-	-	47,858,427	45,696,376
Deduct	-	-	-	-	45,696,376	
Saving	-	-	-	-	2,162,051	

From this statement it would appear that the expenditure for the year ending April, 1833, would be 2,162,051*l.* less than that for the year ending in April, 1832. He next gave a comparative estimate of the income as it was in April, 1832, and as he calculated it for 1833. The Customs duties for the year ending in April, 1832, amounted to 16,275,243*l.* He expected to add to this by the withdrawal of the linen bounties, and by improvement in the duties on several articles of consumption.

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He calculated also on an increase in the tobacco duties ; as there had been a gradual increase in the consumption of that article for some years. In 1830, the duty was 2,850,028*l.* ; in 1831, 2,913,548*l.* ; in 1832, 2,995,837*l.* He, therefore, was justified in calculating for the remaining three-quarters an increase of 35,000*l.* on this article. He estimated the increase on the wine duties at 35,000*l.*, though in this he was not so sanguine. The increase in the duty on wines last year had

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not been so productive as had been anticipated, and this he attributed to the fact that the notice of the proposed increase of the duties had been given so long before the tax was imposed, that many persons had laid in a large stock before the tax came into operation. The increase which he expected from these and other additions to the Customs would make the whole duty 16,700,000*l.* in round numbers; but from this sum a considerable reduction was to be made. In the first place there might be expected a diminution on the whole sum of 500,000*l.* received in the last year from the corn duties; as the promising state of the harvest made it highly probable that no importation of foreign corn would be necessary in the next year. He calculated a farther diminution of the Customs duties of 100,000*l.* in the three quarters which were to run; and in addition to this, he looked to a further diminution of 80,000*l.* by the alterations which were to be made in the sugar duties. The whole of these reductions, when subtracted from the sum of 16,700,000*l.*, would make the produce of the customs in the year ending April, 1833, 15,870,000*l.*

The excise to the 5th of April, 1832, amounted to 16,516,632*l.* 0*s.* 10*d.*; and he expected an increase on the malt and hops duty to the amount of 156,000*l.* There would be a saving on certain drawbacks to the amount of 165,000*l.* He also looked forward to an increase on the duties on spirits and some other articles to the amount of 160,000*l.* The reason why he calculated on an increase in the spirits' duty was, because the amount of revenue derived from that source had not been lessened by the additional duty laid on in

1830; on the contrary, an increase had taken place in the amount. The stock on hand, he believed, was extremely small, and the manufacturers were likely to extend their operations. In the different duties on hawkers' licences, starch, tea, and vinegar, there was a considerable increase. Taking, then, the Customs to the 5th of April, 1833, at 15,870,000*l.*; the Excise, deducting the duty on candles, at 16,850,000*l.*; Stamps 7,000,000*l.*; Assessed Taxes at 5,000,000*l.*; Post Office, at 1,500,000*l.*; and Miscellaneous, at 250,000*l.*;—these items formed a total of 46,470,000*l.* Deduct from that 45,696,376*l.* as the amount of expenditure, and it left a surplus, for the year ending in April, 1833, of 773,624*l.* There was, however, to be set against that, the deficiency of 1832, amounting to 1,240,413*l.* Take from that sum the surplus of 773,624*l.*, for 1833, and it would leave a deficiency, on the two years, of 466,789*l.* He was not at all sanguine when he calculated that there would be a surplus of about 770,000*l.* on the year ensuing. He was, however, perfectly aware that that surplus was to a certain extent imputable to deferred payments of the last year coming in; but, on the other hand, it should be observed that part of the payments of the present year might in like manner fall into the subsequent year.

Mr. Goulburn contended, that there would, according to the noble lord's statement, be a deficiency at the end of the current year, on account of 1832, although in this year there was a surplus. If an individual had a limited income, and in one year, got so much into debt, that he could not pay off that debt in the ensuing year, would

not his means, to that extent, be deficient? The state of the finances of England was to her all-important. She could not compete with continental powers so far as military force was concerned; but she had been enabled to cope with them by her unimpaired credit, and her extraordinary financial resources. Those resources were in a dangerous state. They were now so situated, that she could not, if called upon by any sudden emergency, make a great and efficient exertion. Last year the noble lord had taken from the consolidated fund 14,000,000*l.* or thereabouts. This was managed by sending forth Exchequer-bills, payable out of that fund in the first quarter of the succeeding year, namely, in the month of April. Such was the ordinary course of that financial operation. But, on the best calculation which he could make, he apprehended that the payment of the charge on the consolidated fund for 1832, on account of Exchequer-bills issued for the service of 1831, must necessarily be postponed to a much later period than was usual, according to ordinary financial practice. It would seem that the resources of the country had been anticipated to a very considerable extent; but to what extent he could not undertake to say. Coupling the large amount of unfunded debt with this circumstance, he would ask the noble lord whether, if any contingency arrived which rendered it necessary to raise a large sum of money, he would not find difficulties in his way, that might prevent this country from taking that lofty attitude which she ought to assume? Looking to the receipts from the beginning of the present year, and particularly to the excise, he was led

to believe that the calculations of the noble lord would not, on the whole, be falsified. On former occasions, it had been customary to take the probable expenditure of the year, and to place the probable receipts against it. The noble lord calculated those estimates, as commencing in the April of one year, and ending in the April of the next; and he stated the gross amount of the estimates. Now, looking at the papers with which these estimates were connected, he found, from the manner in which they were prepared, that it would be exceedingly difficult to arrive at a correct conclusion. Some of those estimates appeared to be voted for five quarters; others for four quarters; some were made out with reference to existing balances, and others without any such reference. When the noble lord proposed an alteration of the wine duties, it was distinctly stated to him, that the course which he was pursuing, although intended to benefit the revenue, was not likely to have any such effect. He had then said, "If you place an additional duty on those wines which are consumed by the middle and lower orders, while you are reducing the duty on the wines that are drunk by the higher classes, you will find, in the end, that the revenue will not be rendered more productive." The noble lord had this year the benefit of the duties on the stock of wine on hand. But he knew, from persons intimately connected with the wine trade, that up to the 14th of the present month, the decrease in the importation of Spanish and Portuguese wines, amounted to 274,000 gallons, while the increase of the importation of French wines was only 14,000 gallons. Here was, on the

one hand, a sacrifice of duties to the amount of 180,000*l.*; while, on the other, the new system was not likely to produce up to April, 1833, a sum of more than 35,000*l.* If corresponding advantages were given to this country by France, for the favour thus conferred on the latter, then he might understand the motives by which ministers were actuated; but no reciprocity of advantage had been granted by France. There was, it was pleasing to observe, a great increase in the consumption of beer; and he was sorry that the decrease in the consumption of spirits was not more extensive. He believed that the consumption of malt last year was nearly one-third more than it had ever been before. His object in bringing forward that measure was to turn the people from the use of ardent spirits, and to induce them to adopt a better and more wholesome beverage. As far as the statement of the Chancellor of the Exchequer went, he did not believe that he had taken too sanguine a view of the ordinary resources of the country, if we had a moral certainty that, for a long period, we would not be subjected to any new calamity. He did hope that the noble lord would take care to increase the income so as to be greater than the expenditure of the country, and thus be enabled to place the finances upon a lasting footing.

Sir Robert Peel observed, that the reduction in the public expenditure for the year, amounting to upwards of 2,000,000*l.*, arose chiefly from reductions in the army extraordinaries, and in the navy. The reductions in the navy were mainly attributable to the abstaining from the building of new ships, and the consequent purchase of

stores during the past year. But the time would come when it would be necessary to build new ships and to purchase additional stores; and though ministers were perfectly justified in making such a reduction in the navy estimates this year, it was one that could not be regarded as permanent. The reductions effected in the army estimates were confined to reductions in the army extraordinaries, and in the estimates for the militia. The reduction with regard to the latter arose from the militia not having been called out for training this year; and that, therefore, could not be looked upon as a permanent reduction. The reduction in the army extraordinaries amounted, he believed, to 200,000*l.*, and that alone could be regarded as a permanent reduction.

The financial arrangements of the Government were carried without opposition.

On the 27th of January the president of the Board of Control moved the appointment of a select committee upon the affairs of the East India Company, and to inquire into the state of trade between Great Britain, the East Indies, and China. This was only the re-appointment of a committee which had sat during previous sessions; but Mr. Grant hinted, that as the charter would expire in April 1834, and the East India Company had declined to make itself a party to the discussion, it would be necessary that the government should take a more direct management of the question, though without intimating its intentions, so that expectation might not be disappointed. It was impossible that so complicated an inquiry could be beneficially conducted by a numerous committee, and he in-



tended, therefore, that it should be subdivided. To carry into effect this proposal, it would be necessary to have a considerable number of sub-committees, at least six or seven, each taking a separate branch of the inquiry. In the East India House, and in the Board of Control, the business was divided into six departments, each division having its separate functionaries. He proposed, therefore, that there should be at least six sub-committees, each taking one of these departments. But it would be also necessary that there should be other sub-divisions, and he thought that as many as eight sub-committees would be necessary. This practice was not new to the House, though it was seldom proposed. Sub-committees were generally taken for some specific purpose, and they afterwards returned to the general committee. But in this case, each subject required constant and assiduous attention, and each must be confined to one sub-committee. Therefore he should propose, that there should be seven or eight sub-committees, and that they should meet at least four days a week. As it was necessary to provide for the unavoidable absence of members, and as a sufficient number of members, at least five or six, would be necessary in each sub-committee, it was necessary to propose a numerous committee, and he should propose forty-eight or forty-nine. The present committee would have this advantage—that the subject was not entirely new. A large mass of testimony had already been collected and laid upon the table; and though the evidence had not been systematically collected, yet the materials were in evidence, and the committee would be supplied with them. In addition to this, it had been for some time the

object of the Board of Control, to make preparations for the discussion. Officers had been employed in classifying the evidence laid before both Houses, and in separating the different branches of the evidence. In each of the branches of the sub-committees, the first thing would be to collect the evidence peculiar to that department. For this purpose, a great object of the Board of Control had been to get good summaries of the different portions of evidence, in order that the committee might not have the trouble of laborious examination into the details.

The committee was appointed without opposition.

Still more direct interests were attached to the questions connected with the renewal of the charter of the Bank of England. As the occasion of a renewal of that charter had always been considered the proper time for an inquiry into the banking system of the country, and had been looked forward to by the public as a fitting opportunity for a consideration of the principles of the Bank of England, Ministers did not think it their duty to enter into any communication or treaty with the Bank for a renewal of its charter, until they had brought the subject under the consideration of the House. The Chancellor of the Exchequer, therefore, proposed (May 22) the appointment of “a committee of secrecy to inquire into and report upon the expediency of renewing the charter of the Bank of England, and also on the existing system of banking by banks of issue in England and Wales.” He trusted the House would agree in the propriety of making it a committee of secrecy, in order to prevent any discussions in that House upon the subject,



pending the inquiry; for on such a question, involving the money transactions of the country, nothing could be more objectionable than these discussions. As to the questions for consideration, first, the committee would have to decide whether or not it would be expedient that the charter should be renewed; and, secondly, in case the determination in favour of renewal should be whether any exclusive privileges should be given to the Bank; and it would then be for the committee to recommend to the House to what degree such exclusive privileges should be extended, and upon what conditions. After this, another question for the consideration of the committee would be, the existing system of banking, with reference to banks of issue. They would likewise have to consider the Bank of England in its quality of banker to the state. This was quite a separate view of the question from looking to the Bank of England as a bank of issue, and therefore its consideration should be kept separate and distinct. It was not intended, however, that the committee should go into the question of the currency; it was to confine itself to banking properly so called. One exception to this was to be found in the 1*l*. notes. It would be impossible to exclude that question from the consideration of the committee if they should think fit to enter upon it, although in so far as regarded his own opinion he would rather that they should not.

Mr. Baring and Sir M. W. Ridley thought that it would be better to restrict the committee from entering into that question, the more particularly as the 1*l*. notes did not form part of the present circulation of the country, and the entering upon it would be again to

agitate the subject, and to raise expectations which might not be realized. Sir R. Vyvyan wished the whole subject to be delayed till a new parliament. Others thought that this would be making bad worse. But in substance it was so delayed, for, although a committee was appointed in conformity with lord Althorpe's motion, and examined a number of witnesses, it had made no report when parliament was prorogued, and subsequently dissolved. Neither did it maintain its character of a committee of secrecy. After the prorogation ministers published the evidence which had been taken regarding the affairs of the Bank. These immediately became topics of violent discussion. The effect of these disclosures was at first prejudicial to the Bank. They were said to prove that its profits had been over estimated, and that dividends had been paid out of capital. Bank stock fell twelve per cent. in the course of a few days, but speedily recovered.

A question connected with the financial affairs of the country, though it was treated more as a question of political party, and on which ministers were more hardly pressed than on any other, arose out of the treaty of 1814 for the incorporation of the Belgian provinces with Holland. By that treaty Great Britain had agreed to pay a certain share of a debt due to Russia by Holland, so long as Holland and Belgium continued to be conjoined. They had now been disjoined for more than a year; they were to be finally disjoined, yet ministers had been going on making these payments without any new authority from parliament. Mr. Herries brought the matter before the House of Commons, on the 26th of J.

stated, that, by the convention of the 13th of August, 1814, "in order the better to provide for the defence and incorporation of the Belgic provinces with Holland," it was agreed, that his Britannic Majesty should engage to defray certain charges. One of them was the payment of 1,000,000*l.* to Sweden; secondly, the advance of 2,000,000*l.* to be applied, in concert with the prince sovereign of the Netherlands, in aid of an equal sum to be furnished by him, towards augmenting and improving the defences of the Low Countries; and, thirdly, (which was the spring and ground of the engagement) "to bear equally with Holland such further charges as might be agreed upon between the said high contracting parties and their allies towards the final and satisfactory settlement of the Low Countries, in union with Holland, and under the dominion of the House of Orange, not exceeding in the whole the sum of 3,000,000*l.*, to be defrayed by Great Britain." That engagement, which in the original French of the treaty was more forcibly expressed, and might thus be translated, "conjointly, and always in equal shares,"—that indefinite engagement to pay such further sums for and with Holland, to secure the incorporation of the Belgic provinces with Holland, as should not exceed 3,000,000*l.*, was reduced by a subsequent treaty to a specific and definite basis. Care was taken that no mistake should occur, and the preamble to the second treaty, after stating, that the king of the Netherlands had (for his own interests) resolved to proceed immediately to execute with the Emperor of Russia a convention, went on to say, "to which his Britannic Majesty agrees to be a

party, in pursuance of engagements taken by his said Majesty with the king of the Netherlands, in a convention signed at London on the 13th of August, 1814." This treaty was the origin of these payments to Russia, which were made in reference to Holland. Clear it was, that the reason of the payment was the incorporation of the Belgic provinces with Holland: and that we were to pay only in equal shares with Holland; and it would be extraordinary were it otherwise; for it would be wild upon our part were we to engage singly to pay, not for any general purpose, but for a specific purpose, in which Holland was especially interested: it would be very strange if we were to pay, while our co-partner paid nothing. To limit the effect of this treaty, a clause was introduced, declaring—"It is hereby understood and agreed upon between the high contracting parties, that the said payments on the part of their Majesties, the King of the Netherlands and the King of Great Britain as aforesaid, shall cease and determine, should the possession and sovereignty (which God forbid) of the Belgic provinces at any time pass, or be severed from the dominions of his majesty the king of the Netherlands previous to the complete liquidation of the same." This, however, was not only executory but prohibitive; and the statesmen who framed it took care to make assurance doubly sure, and strictly to prohibit this payment in the event of separation. These men made the treaty define the time, when payment was to cease and determine; and had not that time arrived? On the one side, also, the payment ceased, for Holland refused longer to pay, while England — and this was a fact which did not

remain to be proved, as it was conceded—had still continued to make these payments, in spite of the prohibition, and of her co-partner feeling herself entirely relieved from this engagement. That there was no doubt as to the meaning of the treaty, the House had the authority of the Treasury itself—that department to which the execution of this treaty, being only ministerial, was confided. He had called for an account of the money advanced by the Treasury under the first treaty, that was to say, under the three heads of the additional article of 1814; and that account had been made out in a manner which did credit to those engaged in it. In 1828 the Treasury had been required by the finance committee to give in accounts not only of the sums paid under the head of the Russian loan, but also of the conditions under which such sums were granted. The return contained all the sums paid, and to it was attached a brief statement of the conditions of the payment in these words—“These payments to cease, should the dominion of the Belgic provinces pass from the king of Holland.” Now, however, it appeared that notwithstanding these distinctly recorded understandings as to the effect of the loan and the conditions—notwithstanding the specific stipulation in the treaties, and the distinct recognition in the act of parliament that the payments were to be made by the lords of the Treasury, “when the same may be from time to time payable, as specified in the said convention,”—and notwithstanding the occurrence of the fact which rendered it improper to make any payment—we had for the last three terms of payment continued to advance the money of this country,

after the Dutch had refused—for three times they had refused—to pay, since the separation between the two countries. Was it to be allowed that the lords of the Treasury should enlarge their own powers? Although they might come down, as too often had been the case, with an act to amend an act, nothing of that kind had been done here, and therefore the Treasury had not acted correctly. If parliament had legislated when the whole case was not before it, what ought ministers to do? They ought to come down and declare how matters stood, and ask for any necessary powers that parliament might not have conceded; and no doubt existed but that parliament would give such powers as were fitting. Another defence had been made elsewhere, that as we were participant and active in contributing to the independence of Belgium, therefore we should be bound to the conditions of our bond. Was it possible that, after parliament had given its direction to the Treasury, which was a mere servant, it should be allowed to disobey, or that the Treasury should assume the power to dispense with treaties and with statutes? He therefore moved three resolutions. The first was to the effect, that by the 55 Geo. III., for carrying into effect the convention between Great Britain, the Netherlands, and Russia—the Treasury was empowered to issue sums to pay the interest and capital due by Holland to Russia, conformably with the provisions of the convention. The second resolution was to the effect that the payment of these sums was made to depend upon the non-separation of the kingdoms of Holland and Belgium: and the third, that as the kingdoms of Belgium

and Holland had been separated, all payments, made since that separation, were unwarranted by act of parliament, and contrary to the treaty recognizing the loan.

In defence of the conduct of ministers, Lord Althorpe argued that the true question was, whether the country was not bound in honour to the continued payment of those sums. Looking only at the strict letter of the treaty, we might not be bound ; but a careful examination of its spirit and provisions convinced him that our honour was pledged to the payments, and that on no other consideration than that it was so pledged should we have interfered as we had done in the affairs of Holland and Belgium. The payment was said to be contingent on the non-separation of Belgium and Holland ; and that the fact of a severance having taken place between the states made null the original compact. But the separation contemplated by the framers of the treaty was one made by external force, and had nothing to say to any severance proceeding from causes wholly internal. That the object of the treaty was to secure the union of the Dutch and Belgic provinces under the King of the Netherlands, and that Holland only derived benefit from its provisions, was but partially true. Was it no benefit to Russia to be secured the payment of a debt ? And was it not the evident object of the British Government, in pledging this country to a moiety of the debt due by Holland to Russia, to give Russia an interest in preserving the integrity of the kingdom of the Netherlands ? It was to effect this object, by giving Russia an interest in preventing the severance of Holland and Belgium—that this country concluded

the treaty ; and to that treaty we were in equity still pledged. That Holland refused to pay was immaterial. If one pledged himself to the payment of a debt to which there was also a third party, it would be dishonourable to take advantage of that third party having refused to fulfil his engagement, as a legal reason for also refusing to fulfil your engagement. If the conditions on which a debt was contracted were altered or broken by circumstances over which the creditor had no control, did it follow that the moral obligation of the debt was also broken ? When this question first came under his official notice, he referred it to the law officers of the Crown, in order to ascertain whether, under the circumstances of the case, this country was bound to continue the payment of the monies. The answer of the law officers was, that we were bound to continue these payments by the treaty, of which the act of Parliament was a mere formal legislative sanction. In consequence of the opinion of the law officers, agreeing as it did with his own, a legal treasury check was issued for the payment. The noble auditor of the Exchequer, Lord Grenville, did, when the matter was first submitted to his consideration, express a doubt whether we were bound to continue these payments. But when the opinion of the law officers of the Crown and the grounds on which it was formed were submitted to Lord Grenville, he expressed his concurrence with the propriety of these opinions, and consequently with the course pursued by the Treasury. With respect to the resolutions, he had only to say that, as the two first were merely declaratory of the fact, he would only, so far as they were

concerned, move the previous question; but as the third resolution was a direct censure on ministers, he would meet it with a direct negative.

The Attorney and Solicitor-General, on whose opinion ministers had acted, had to defend that opinion. Excepting an argument that, as the treaty had not expired, to meddle with it would be touching the king's prerogative, and to which Sir James Scarlett answered that this was to confer a prerogative of not merely making treaties, but of construing them as the Crown might please, even after they had been approved of by parliament, and a suggestion of the Solicitor General that the maximum of 3,000,000*l.* for which we had become bound on account of Holland must be held to have been given partly at least for the Dutch colonies which we had retained at the general peace, and still retained—with these exceptions, the argument of these law officers resolved into this, that there was an obligation in honour and equity to continue the payments. Accordingly the Solicitor-General said that it would not do to quote to the Emperor of Russia, making an equitable demand, our acts of parliament of which he knew nothing,—apparently not seeing that, if these acts of parliament were inconsistent with that demand, they must have a different meaning from what ministers gave to them, and the latter must have been acting without any authority to be found within them. Dr. Lushington, too, argued, that what had happened was evidently a *casus improvisus*, for which Russia was not to blame. But if so, ministers ought to have got parliament to provide for it. The very objec-

tion was, not that ministers had made a proposition to parliament which parliament was not bound in expediency or honour to adopt, but that they had taken it upon themselves, without consulting parliament, to pay money which no act of parliament gave them any authority to pay. Mr. Frederick Pollock, Sir James Scarlett, and Sir Edward Sugden, all treated the case as so clear against the ministry, that no debateable point could be raised on it. The words in the act of Parliament (and never were there clearer words in an act of Parliament) gave a right to the proper officer to pay certain sums of money while a particular case existed. That case no longer existed. What, then, became of the right? The terms of the treaty were, that the payment should continue, until Belgium had passed away from Holland. The phrase was “passed away.” Could there be found, in language, a more comprehensive phrase? Had not Belgium “passed away” from Holland? Had it not been severed from Holland? To say that the treaty and act of parliament meant passed away “by external force,” was not to argue, but to impose a mere arbitrary gloss. Was Holland bound? Even ministers did not maintain that. Yet it could not mean external force in regard to her, and something else in regard to us.

Lord John Russell argued, like Lord Althorpe, that it was the spirit of the treaty which must be looked at, and that spirit justified the payments. He complained, moreover, that the resolutions were moved, with a mere party view, not from any love of economy, or any desire to maintain a constitutional principle. He complained,



too, that a motion should be made for censuring ministers, without calling for papers, without any allusion to the circumstances which had occurred in 1830 and 1831, and on which the interpretation of the treaty might in a very great degree depend. He never knew such a vote of censure proposed against any administration, without previous investigation. Mr. C. Wynn thought this complaint of the non-production of papers the strangest that could have been made, coming as it did from the very ministers who alone could produce those papers, if useful to their defence. If they had any explanation to give, why did they not come down and explain the course they had pursued, or intended to pursue, and why did they not themselves bring down these papers? Now, when they found the sensation created by this debate, they wished to ask for time, and the pretence was resorted to, that this was brought forward as a party question. It was, however, no such thing, but the House of Commons were to act as judges in a matter of the highest importance.—The result of this motion being nothing less than this,—whether parliament was to be bound by a private money engagement between the Crown and Foreign States, which had never been communicated to parliament.

Sir Robert Peel said, the nature of the question was, not whether there existed an honourable engagement on the part of this country to make certain payments, but whether a subordinate department should or should not be bound to act according to an act of Parliament. There was and there could be no doubt here as to what was expressed by the act of Parliament.

If there were any engagement of a different nature still binding, and if he were asked whether the lapse of fifteen years might not enable the government to produce it, he would say, if the time had not arrived for the disclosure, then it was the duty of ministers to come down with a message from His Majesty, stating that such engagement did exist, and they should ask, either for a vote of confidence, or introduce a new act of Parliament. If there were any thing in recent negotiations which might render the same course advisable, still they should have come to the House of Commons and asked either for a vote of credit or brought in a new bill. On the contrary, however, the ministers had determined on attempting to vindicate the course they had pursued, and under an act which conferred no such power as they had enforced. The question was, whether, under the convention and this act of Parliament, the treasury had authority to make these payments. He knew nothing of the circumstances beyond what had been stated to-night. There might be correspondence which would constitute an equitable engagement; and if so, he should agree to it. Much stress had been laid on the circumstance, that because we interfered in the act which ended in the separation of Belgium and Holland, therefore we were bound not to forego those pledges or debts to which we should be liable but for our interference. Agreed; but was not Russia also an interfering party, and as such should she not also feel a delicacy in insisting upon the payment of debts, the obligations of which her interference had destroyed? But the most extraordinary argument of all was that of the



Chancellor of the Exchequer. "The separation spoken of in the treaties," said he, "meant separation by external force." So, then, if through intrigues, or any means short of hostile attack, Belgium "passed over" to France,—and they all knew how near the duke of Nemours had been to the Belgic throne,—England was bound to continue the payments to Russia. And then the logic of the noble lord with respect to the resolutions! He admitted the first two, but objected to the third, which was the necessary consequence of the two admitted by him,—that is, he admitted the major and minor terms of a syllogism, but arbitrarily denied the logical conclusion.

Lord Palmerston said that Russia, of her own accord (and this was important to the question) made the payment of the loan contingent on the integrity of the kingdom of the Netherlands,—that was, Russia knew that it was a matter of paramount importance to England, that the union of the kingdoms of Belgium and Holland, under one monarchy, should be observed inviolably by all other nations; and accordingly Russia, solely with a view to manifest her ardent desire to co-operate with England, declared, in the terms of the treaty, that the loan should cease to be obligatory, when a separation between Holland and Belgium had taken place. If it had been the policy of England to declare against the union of these kingdoms, Russia would, in the spirit with which she volunteered this condition of the loan, have equally co-operated with what she conceived to be the predilections of England, and have made the separation the basis of the loan. Was this gratuitous generosity on the part of

Russia to be now turned against herself by those in whose favour she had volunteered?

When the House divided, the previous question was carried against the first two resolutions by a majority of only twenty, there being 239 for it, and 219 for the resolutions. For the third resolution there were 214, and against it 238, leaving to the government a majority of only twenty-four. Excluding the parties inculpated in the charge, the resolutions would have been carried. Many of their usual adherents, and among them Mr. Hume, voted against them. Their secretary at war, sir Henry Parnell, failed to attend to vote for them. The consequence was the loss of his office. He was succeeded by sir John Cam Hobhouse, who, forsaking his former occupation of inveighing against army estimates and military flogging, was compelled to oppose motions for the reduction of the one, and the abolition of the other.

Ministers themselves, in truth, while thus maintaining that the original treaty authorized every thing that they had done, had entered into a new convention with Russia. Its ratification had been delayed, because Russia delayed to ratify the treaty of November 1831 between the five powers and Belgium, and because the separation, on which this new convention was founded, could not be finally fixed till that treaty was ratified. It was laid before parliament on the 27th of June. On the 12th of July lord Althorpe moved the House to go into committee to consider of it, with the view that a bill should be brought in to enable his Majesty to execute it. It provided for continuing the payments, which thus, after all, were to

receive, and must be held therefore to require, the sanction of parliament. The opposition thought this strengthened their case. If a new convention was necessary, the former payments must have been made without authority. In the month of July, 1831, the law officers of the crown had been called on for their opinion, whether, after the separation of Belgium from Holland, ministers would be authorized to continue the payments of the Russia-Dutch loan. The law-officers gave their opinion in the affirmative, and the treasury paid the money. Four months after, as the documents now produced showed, and when another payment was almost due, ministers acted in the very teeth of this opinion of their law-officers, and concluded a convention with Russia, the preamble of which stated, as if in mockery of the legal opinion they professed to have acted upon, that the king of England and the emperor of all the Russias considered the events, which had occurred in the Netherlands since 1831, to have changed altogether the circumstances under which the letter of the convention was framed. In the face of their own declarations, and of the opinions of their official law advisers, ministers had entered into a convention which, *pro tanto*, was equivalent to a declaration, that the separation of Belgium from Holland, released them from a continuance of the payment to Russia. Nay, it now appeared that they had resolved, in June 1831, though in January 1832, to move an address to the House of Commons, which the

new convention was not intended to annul the former convention.

motion : " That it appears to this House that the payment made by the commissioners of the treasury, on account of the interest due on the Russian loan, in Holland, in January last, when the obligation and authority to make such payment had, according to the terms of the convention with Holland and Russia, and of the act of parliament founded thereon, ceased and determined ; and also when a new convention with Russia, not then communicated to this House, had been entered into, recognizing the necessity of recurring to parliament for power to continue such payments under the circumstances which had attended the separation which had taken place between Holland and Belgium, was an application of the public money not warranted by law." Ministers still argued the question on the ground, whether this country was bound in good faith to continue the payments? If we were, this convention was only to fulfil that duty. The opposition answered, that the question on the amendment was, whether ministers had paid money without the authority of parliament—whatever the purpose might be—and this convention was only an unanswerable proof that they had. Lord Althorpe declared that if his motion were lost, it would upset the ministry. The amendment was lost by forty-six, there being 197 for it, and 243 against it. During the progress of the bill founded on the motion, Mr. A. moved an address to the Majesty to be direct that the House of Commons should not annul the former convention.

lands, explanatory of the spirit and objects of that convention.', Ministers opposed it, and were supported by a majority of thirty-six. Mr. Hume who had voted against them in January, voted for them on the 12th of July, and now voted for them again, although he declared he knew they were in the wrong. He said that on the 12th of July he had come down to the House with a firm determination to vote against them; but when he found by whom he was surrounded, he was extremely unwilling to become a party to a proceeding which he so much disliked as driving ministers from office. He had no hesitation in saying that he changed his opinion, and voted with the whigs against the tories, although he believed the whigs to be in the wrong. He was determined not to assist in turning out ministers, until they had completed the great measure of reform. That was the plain fact. A great deal remained to be done yet, and he wanted to see a new election take place. The object of the opposition was merely to effect a change from whigs to tories, and not to save the public money. The present motion, like the former, was intended as a mere trial of strength between the two parties, and he would support ministers, however unwillingly. He was determined to support ministers, right or wrong.

In the latter part of 1831, a violent hurricane had occasioned a great deal of damage in Barbadoes, St. Vincent, and St. Lucia. The government ascertained upon inquiry that the amount of property destroyed in these three islands, was not less than 1,700,000*l*. On the occasion of a similar disaster in 1780 the loss had amounted to 100,000*l*., and had been met

by a grant of 80,000*l*. Ministers now proposed, and parliament agreed, to grant his Majesty 100,000*l*. for the relief of the sufferers in Barbadoes, St. Vincent, and St. Lucia.

Jamaica was soon visited by a calamity of a different kind, but not less destructive. In the end of December 1831, a formidable insurrection, which for some time had been secretly organized, broke out among the slaves, particularly in the parishes of Trelawney, Portland, and St. James. About the 20th of that month, the negroes on several estates began to refuse to go to their work. Then they assembled together in large bodies; supplied themselves with arms, and rose in open rebellion. They marched over the country, spreading devastation around them. On almost every estate in that part of the island, many of them being among the most valuable of its plantations, the buildings and produce were set in flames. Nor was the destruction confined to the property of the whites. The houses and small settlements of free people of colour shared in it equally with the larger plantations of the white inhabitants. On the 30th of December it was found necessary to proclaim martial law. The militia of the different parishes was called out; and sir Willoughby Cotton marched to Montego Bay with between two and three hundred troops of the line. In the mean time two engagements had taken place between the negroes and the militia. In both the former were routed; but they again made head in some other quarter. At length the troops succeeded in following and dispersing them, and they began to come in to take the benefit of

the offers in the proclamations which had been issued of a pardon to all but the ringleaders. Of the latter some were shot after trial by courts martial. By the middle of January, the danger was over, though many of the negroes still remained out, and martial law was not yet recalled. That the insurrection had been long meditated was proved by the fact that, on pursuing those who had absconded to the woods in the neighbourhood of Manchioneal, in the parish of Portland, twenty-one houses, completely ready for occupation, were found placed in such deep recesses of the wood as might probably have long escaped detection.

By the whites, the insurrection was ascribed partly to the vague notions excited among the negroes by the orders in council, intended to effect the amelioration of their condition, and partly to the arts or imprudence of sectarian missionaries. The former had produced a belief among the slaves that their liberty had been granted to them by the king, but was fraudulently kept back by their masters; and these ideas, it was said had been encouraged by some of the missionaries. So general was the opinion that the insurrection had been the work of the baptists, that their chapel at Montego Bay was razed to the ground by the mob. Those at Falmouth, Lucia, and Savanna-la-mar, shared the same fate. A baptist missionary had arrived from England in January. By the information of different negroes, and the confession of others after condemnation, it appeared that they looked forward to his arrival as the time when they were to expect freedom, "that he was to bring their freedom out;"

and in the disturbed state in which the district still continued, it was thought necessary to detain him. On his papers being examined, nothing was found to criminate him. Serious charges were preferred against a Moravian minister. He was tried by a court martial and acquitted.

Even apart from the effect which they might have in misleading the negroes, the orders in council of November 1831 were regarded by the colonists as an unnecessary and mischievous interference with their rights of property, and even with their political privileges. These orders fixed the hours of labour, appointed slave-protectors to attend to the rights of the negroes as against their own masters, and contained various other regulations, all thought to be useful to the slave, and intended to prepare him gradually for emancipation. They were to be enforced in the crown colonies by the power of the crown; in the others by granting fiscal privileges to those who obeyed, such as imposing a higher duty on the produce of the recusant islands. In both sets of islands they were regarded as dangerous incitements to turbulence among the negroes, and utterly ruinous to the property of the planters. Every where there was discontent and irritation against the government at home, and in the colonies which had legislative assemblies, it was plainly spoken out. The House of Assembly of Jamaica, in their answer to the speech with which the governor opened their session, said, "We observe your Excellency has received his Majesty's command to submit further propositions to us respecting the future regulation and government of our slaves. We

should, however, be wanting in candour to your Excellency, did we not state that all measures for the further amelioration of the slave population must emanate from ourselves." The governor sent them a message regarding the slave registers. They answered: "The House have considered your Excellency's message containing some complaint of his Majesty's principal Secretary of State for the Colonies, relative to the slave registry returns sent from this island last year. This is a subject which the House considers should be settled between Viscount Goderich and the patentee of the office of our island secretary. The House considers the transmission of the slave registry to England a wasteful expenditure of public money, and this House will never aid in any measure which tends to perpetuate an odious enactment." In Trinidad, a crown colony, a great meeting of the planters was held to oppose the commands of the crown respecting the treatment of the slave population, as contained in the order in council of November, 1831. At this meeting the parties agreed to a protest against the order in council,—a petition to the King for its repeal,—a petition to the House of Commons,—and a petition to the House of Peers for the same object. With this protest the chairman, accompanied by a deputation, immediately proceeded to the Governor to propose mitigation or changes in the order. The Governor had no power to comply with their request, but he offered to transmit their representations to the government at home. On the return of the deputation with this answer, several violent resolutions were proposed, and some violent speeches made. One planter "proposed a

remedy,—the only one, he contended, which could be efficacious,—that until redress was afforded, they should refuse to pay taxes." They appointed a standing committee, to meet every three months. A Mr. Jeremie had written a pamphlet in which the planters thought themselves calumniated. He was sent out in a high official situation to the Mauritius. On his arrival off Port Louis, the inhabitants presented an address to the Governor to prevent him from landing. "Your Excellency knows that his arrival is expected by the slaves as a signal of liberty, and that the greatest excesses will be produced by his presence. The ferment increases every moment. The free population would, at any hazard, prevent the landing of the man whom they regard as the forerunner of the most frightful evils. The slave population call for him with the most lively ardour. Blood will flow, without doubt, if your Excellency does not resolve to employ the only remedy which yet remains, but which is still in your power,—that of preventing the landing of Mr. Jeremie at the Isle of France." Mr. Jeremie, however, landed, accompanied as a precaution, by the barges of the men of war, each carrying a gun. He proceeded to the government house amidst groans and hisses. The excitement and displeasure of the inhabitants continued to increase, till Mr. Jeremie found it prudent to leave the island. At St. Lucia the schism between the Governor and the colonists proceeded so far, that the latter shut up their stores, and refused to transact any business, while the former accused them of conspiracy, and laid an embargo on the shipping.



This state of matters in the colonies roused the proprietors at home. On the 6th of April, the West-India mercantile body of London presented to the Colonial Secretary a protest against the order in council. They there said "The order of the King in council is unjust and oppressive, inconsistent with the parliamentary resolutions of 1823, and destructive of the rights of property.

"That the intention of his Majesty's ministers to propose to parliament to adopt fiscal regulations, for the purpose of coercing the legislative colonies, is cruelly oppressive to the colonies, in the state of commercial distress to which they have been reduced, and is in itself a course of policy the most deplorable, not only from its having been virtually abandoned by parliament during the American revolution, but because, in the present dangerous and excited state of the colonies, it is calculated to produce no other effect than the ruin and destruction of the property of the colonists, and ultimately the degradation and barbarism of the negro population.

"That all attempts to induce his majesty's ministers to pursue a more safe and prudent course of policy in the government of the colonies having hitherto failed, it becomes our duty to protest against the said order of the King in council, as regards the Crown colonies, against the application of fiscal regulations for the purpose of coercing the legislative colonies, and against the arbitrary interference with the rights of private property, without first providing a parliamentary fund for compensation,—a course which has always been adopted with regard to property in this country, whenever it

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has been interfered with for public purposes; and if the principles of justice are to be impartially maintained, the same course ought to be adopted with regard to property in the West-India colonies, which has been acquired, and is held, under the same sanction of law that all property in this country is held.

"We, therefore, throw the responsibility for all the consequences of those proceedings upon the British Government, and transmit this memorial to the Secretary of State for the Colonies, as evidence of our protest and claim of compensation for any loss, deterioration, or destruction of property vested in the Colonies, under the sanction of the law, that has been, or may be incurred, in consequence of the measures pursued by his Majesty's ministers."

This was followed up by a public meeting of persons interested in the Colonies, at which it was resolved to petition the House of Lords, praying "that a full and impartial parliamentary inquiry should be instituted for the purposes of ascertaining the laws and usages of the colonies, the condition of the slaves, the improvements that had been made in that condition, and what further steps could be taken for the amelioration of that condition consistently with the best interests of the slaves themselves, and with the rights of private property." The petition was presented to the House on the 17th of April by the earl of Harewood. Ministers agreed to grant a committee, and, in the meantime, the order in council was suspended. Mr. Fowell Buxton tried to throw the Commons into a different channel, by moving on the 24th of May, while the Lords'

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committee was still sitting, "that a select committee be appointed to consider and report upon the measures expedient to be adopted for properly effecting the extinction of slavery throughout the British dominions at the earliest period compatible with the safety of all classes in the colonies." To this lord Althorpe would not agree. It was too unqualified. He wished Mr. Buxton to add the words "in conformity with the resolutions of 15th May, 1823." — Mr. Buxton would not accede, for his opinion was, that these resolutions had been the true cause of so much delay in the emancipation of the slaves. Lord Althorpe then moved them as an amendment on Mr. Buxton's motion, and they were carried by a large majority.

These measures were followed up by pecuniary relief. The sum of 100,000*l.* which it had been proposed to grant to the sufferers from the hurricane in Barbadoes, St. Vincent, and St. Lucia, was raised to 1,000,000*l.* and extended to the sufferers in Jamaica by the insurrection. The Chancellor of the Exchequer stated that the loss sustained in the latter island by the destruction of premises alone, amounted to 800,000*l.* The money was not to be given as indemnification for the loss of produce, but to enable these premises to be rebuilt, and it was to be issued only on due security being received for repayment. A farther sum of 58,000*l.* was granted, to be applied in giving aid, in regard to their internal expenses to the crown colonies which had adopted the order in council, and carried it practically into effect.

In the end of 1831, the cholera had made its appearance in Sunderland and extended to

Newcastle. Instead of moving southwards, it travelled north to Scotland, and appeared suddenly, in a very fatal form, at Haddington. Approaching Edinburgh, it seized upon Musselburgh, six miles from the metropolis, where its ravages were the most severe that had yet been known in the island. In Edinburgh funds had been supplied by voluntary subscription, and labour and attention by active charity, in clothing and feeding the poor, which, aided by a very vigilant police, long set the invader at defiance, and, when he arrived, deprived him of almost all his terror. Hitherto the legislature had been silent. All at once, without apparently having lighted on any intermediate place, the disease appeared in London, and forthwith bills were hurried through both Houses of parliament, vesting in the privy council very ample powers to direct sanatory measures, and authorizing assessments to cover the necessary expenses. In the bill for Scotland the House actually divided on the question whether words, which spoke of the disease being an infliction of "providence," should be part of the preamble. Six members, headed by Mr. Hume, voted for their exclusion. They had been omitted in the preamble of the English bill, but were inserted in the House of Lords.

On the 30th of July, when the end of the session and of the parliament was approaching, to be followed by a parliament of a very different constitution which was to produce many new voices and faces, the Speaker, Mr. Manners Sutton, announced his intended resignation of the chair, which he had filled in six successive parliaments. All parties received the

announcement with regret, and replied to it with terms of eulogy and kindness. Lord Althorpe moved, and Mr. Goulburn seconded, and the House voted by acclamation, "That the thanks of this House be given to the right hon. Charles Manners Sutton, Speaker of this House, for his eminent services in the six parliaments, during which he had discharged the duties of Speaker, with a zeal and ability alike honourable to himself and conducive to the progress of public business: that he be assured that this House feels the strongest sense of the advantage which it has derived from his attachment to the interests of his country—from his unwearied assiduity during a period of unexampled labour in this House—from the steadiness and firmness with which he has on all occasions maintained the dignity and privileges of the Commons House of Parliament—from the attention which he has paid to the order of our proceedings, and from the urbanity and kindness which he has uniformly displayed in the discharge of his high and important duties." An address to the King was likewise unanimously voted, praying his Majesty to confer some signal mark of his favour on the Speaker, and stating that the House would make good whatever expence might be incurred. The address was carried into effect by granting to Mr. Sutton a pension of 4000*l.* a year, to be reduced to one half if he accepted any office under the crown of equal value, and on his demise, 3000*l.* a year to his son.

On the 16th of August, his Majesty, in person, prorogued parliament, with the following speech from the throne,

"My Lords and Gentlemen,

"The state of the public business now enabling me to release you from a further attendance in parliament, I cannot take leave of you without expressing the satisfaction with which I have observed your diligence and zeal in the discharge of your duties during a session of extraordinary labour and duration.

"The matters which you have had under your consideration have been of the first importance; and the laws in particular which have been passed for reforming the representation of the people have occupied, as was unavoidable, the greatest portion of your time and attention.

"In recommending this subject to your consideration, it was my object, by removing the causes of just complaint, to restore general confidence in the legislature, and to give additional security to the settled institutions of the state. This object will, I trust, be found to have been accomplished.

"I have still to lament the continuance of disturbances in Ireland, notwithstanding the vigilance and energy displayed by my government there in the measures which it has taken to repress them. The laws which have been passed in conformity with my recommendation at the beginning of the session, with respect to the collection of tithes, are well calculated to lay the foundation of a new system, to the completion of which the attention of parliament, when it again assembles, will of course be directed. To this necessary work my best assistance will be given, by enforcing the execution of the laws, and by promoting the prosperity of a country blessed by Divine Providence with so many natural ad-

vantages. As conducive to this subject, I must express the satisfaction which I have felt at the measures adopted for extending generally to my people in that kingdom the benefits of education.

“I continue to receive the most friendly assurances from all Foreign Powers; and though I am not yet enabled to announce to you the final arrangement of the questions which have been so long depending between Holland and Belgium, and though, unhappily, the contest in Portugal between the Princes of the House of Braganza still continues, I look with confidence, through the intimate union which subsists between me and my allies, to the preservation of the general peace.

“Gentlemen of the House of Commons.

“I thank you for the supplies which you have granted me; and it is a great satisfaction to me to find, notwithstanding large reductions from the revenue, occasioned by the repeal of some of the taxes which pressed most heavily on my people, that you have been enabled, by the exercise of a well-considered economy in all the departments of the State, to provide for the service of the year without any addition to the public burdens.

“My Lords and Gentlemen,

“I recommend to you during the recess the most careful attention to the preservation of the public peace, and to the maintenance of the authority of the law in your respective counties. I trust that the advantages enjoyed by all my subjects under our free constitution will be duly appreciated and cherished; that relief from any real causes of complaint will be sought only through legitimate channels; that all irregular and illegal proceedings will be discountenanced and resisted; and that the establishment of internal tranquility and order will prove, that the measures which I have sanctioned have not been fruitless in promoting the security of the State, and the content and welfare of my people.”

The Lord Chancellor then, by command of his Majesty, said—

“My lords and gentlemen, it is his Majesty’s royal will and pleasure that this Parliament be prorogued to Tuesday, the 16th day of October next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday, the 16th day of October next.”

## CHAP. VIII.

*Disturbed State of Ireland—Discontent of the Protestants with the Ministry—Conduct of the Catholics—Attempt to Assemble a National Council in Dublin—Lawless State of many of the Irish Counties—Combinations against Tithes—Outrages and Murders—Conduct of the Agitators—Means adopted to render the Collection of Tithes impossible—The Law a mere Dead Letter—Parliamentary Inquiry—Agitation of the Question of the Repeal of the Union—Prosecutions for attending Anti-tithe Meetings—Open resistance to the Collection of Tithes—Jurors and Witnesses deterred from doing their Duty in Criminal Prosecutions—Murders and Outrages—Conflicts with the Police.*

**W**HILE the legislature was bestowing on Ireland an amended representation, and devising measures for removing the contentions which had arisen from the artfully fomented hatred against the property of the church, that unhappy country itself seemed to be labouring under a curse which rendered every attempt to mitigate its calamities only a new source of discord and crime. The demagogues were more open in their threats and excitements: the populace and the peasants became more daring and systematic in their crimes; all regard to law, to property, and to life was trampled under foot as a sacred duty; plunder and bloodshed became the instruments of imagined political regeneration; and the power of the leaders who hurried on unthinking thousands was exerted in administering every incitement to their angry passions, and, under the pretext of seeking civil amelioration, teaching them to forget all civil duties, and unfit themselves for the moderate exercise of all civil rights. Towards the conclusion of the preceding year, the resistance to the payment of tithes hadt become open and systematic;

and the question of the repeal of the Union had been openly advocated. To these were now added new sources of discontent arising out of the reform bill. The Protestants, who saw, or thought they saw, that by its provisions they, and their institutions were laid at the feet of the Catholics, lost all confidence in the government by which they considered themselves abandoned, and naturally felt inclined to have recourse, for means of defence, to the same instruments which the Catholics used against them. They thought that their safety must be found only in themselves; and it was not easy to say, whether they felt more irritated against the government or against the Catholic bands who surrounded them with pillage and murder. A numerous meeting of Protestant noblemen and gentlemen, held in Dublin, put forth a manifesto, enumerating the various grievances of which they thought themselves entitled to complain, and calling upon all their brethren, as at a most perilous crisis of their affairs, to be vigilant, and true to their own interests. "The Irish Protestants," said they "are no paltry faction, as they have been repre-

sented, but a gallant people, possessing a physical and moral energy, which, if united, no earthly power can crush—comprising a vast proportion of the property, education, and industry of Ireland; the descendants of brave men, who won privileges and rights which their posterity must not forfeit by indolence and neglect. We trust that that loyal and resolute body of men, the Orangemen of Ireland, who have so often and so successfully come forward in defence of the laws and constitution of this country in times of peril, will not now be unmindful of the noble principles upon which they have associated; that they and all other classes of our Protestant brethren will co-operate with us in making the most urgent and decisive statement of our wrongs to our most gracious sovereign. Upon the Protestant magistracy we would impress the strong necessity, the imperative duty, which devolves upon them, not to yield to the feelings of disgust which the indignities and insults offered to them are so naturally calculated to excite. They should recollect that they are not at liberty to desert a position in which they may contribute to protect the properties, privileges, and lives of their fellow-subjects. In fine, to all classes of our Protestant brethren we pledge ourselves to omit no opportunity of serving their interests, and protecting their rights: for this end we invite their co-operation, and trust we may still succeed, if we be firm, vigilant, and united."

The example of this assembly was followed in many of the counties, and addresses to the King were voted by very numerous meetings. The meeting of the county of Armagh was attended by

a great number of men of property and station, and the whole assemblage consisted of many thousands. In the resolutions which they adopted as the basis of their address, they expressed dissatisfaction and alarm at the spirit that appeared to influence the councils and direct the measures of the Irish government. As circumstances which justified that alarm, they stated, that unconstitutional and mischievous associations had been suffered to be formed and continued, the efforts of which were directed to usurp the powers of government, and destroy the civil and religious institutions of the country: That, instead of such associations having been suppressed, and their leaders punished, measures had been adopted, and appointments made, at their dictation; that processions connected with their destructive purposes had been allowed to take place even in the metropolis, and the instigators of them rewarded with favour and confidence, while Protestants had been dismissed from various corps of yeomanry, because, in their characters as individuals, they had engaged in commemorating the revolution, or other historical events connected with the history of Protestant Ireland; that the clergy of the established church had received no adequate protection against the outrages to which its members were exposed in merely enforcing their legal rights, as a consequence of which, the same system was now openly pursued, in many parts of the country, against the Protestants at large, so that they had little security either for life or property; that by a weak and ignorant policy, while public support was continued to the Catholic college of Maynooth, it had been withdrawn

from Protestant associations for the general education of the people, and that the government, not satisfied with conceding this essential point to the clamours of the Catholic clergy, had committed the superintendence of national instruction to persons on the majority of whom the Protestants of Ireland could place no confidence. They expressed, likewise, very strong opinions on the effect of the reform bill. They represented to his Majesty, that it would transfer to the Catholics and the Catholic clergy an overwhelming influence in the representation; that the boroughs, whose franchise was to be taken from Protestant corporations, and transferred to a larger constituency, had been incorporated for the express purpose of maintaining, by a Protestant constituency, the connection between the two countries; and that the measures now in progress, if they had any other motive, could have no other effect than to vest in the Catholics the entire dominion of Ireland. Similar meetings were held, and similar resolutions adopted, in the county of Down, and other places. They endeavoured, at the same time, to strengthen their cause, by putting forth an appeal to the Protestants of England and Scotland, to join them in preventing the restoration of popery in Ireland.

The Catholics, again, or at least, their interested and unprincipled leaders, did not treat the reform bill with any greater lenity. Although it gave much, it did not give all that they desired, or all that was necessary to the completion of their schemes. While they hypocritically declaimed against all religious distinctions, their real object was to establish their own ascendancy. Popery could never

regain its glories in Ireland, or the Protestant church be dethroned, so long as their fate depended on a Protestant parliament. Therefore, the Union must be repealed. Unless Ireland sent into the House of Commons a large body of Catholic repealers, there was no chance that the separation would be achieved; therefore the new mode of election must be such as would place all the returns in the hands of the Catholics, by bringing down the franchise to classes in which their numerical superiority would always ensure a majority. Hence the bitterness with which O'Connell and his comrades attacked the Irish reform bill, because it did not make a larger addition to the representation of Ireland, and did not sink the qualification to a lower scale. What they aimed at was, a powerful Catholic party in the House of Commons, as the only means by which they might either carry a repeal of the Union, or extort, even without it, the ulterior measures against the Protestant church which would have been more directly obtained from a reformed Irish parliament. What they called the defects of the bill, supplied them with new sources of discontent and excitement. The people of Ireland were told, that this pretended reform was an insult; that they had received only a small portion of the justice that was due to them; that they must still meet with unyielding opposition a government which granted only part of their demands. The demagogues would not have been much less discontented, had the bill gone to such extravagant lengths as left them nothing to desire. For unfortunately it is scarcely possible to go so far in extravagance, that such men will not find beyond



some food for the ignorant prejudices and angry passions of heated multitudes, the mere instruments of their personal vanity or ambition.

O'Connell, before leaving Dublin to attend parliament, in the beginning of the year, endeavoured to convert all the Irish members into his servile followers. He got the national political union to resolve, that it was expedient, if not even necessary, that all the representatives of Ireland, should assemble during the Christmas recess, at Dublin, in a national council, to deliberate on the conduct which they ought to follow in the ensuing session. The secretary of the meeting addressed a circular letter to all of them, requesting their attendance on the 9th of January, and Mr. H. Grattan, M.P. was the chairman of the meeting. Mr. O'Connell's object in convoking this "national council" could not be mistaken. It would already have been the express image of an Irish parliament. The two great objects which were now in view were, the total abolition of tithes, and a much more democratic reform bill. If he could bring all the Irish members within the toils of his political unions, and induce them to combine with him in a regular plan of operations, then considering the hard battles which ministers had to fight in regard to the English reform bill, the Irish members would have formed a band of auxiliaries whose services would be worth purchasing at any price. At all events he flattered himself that of any combined plan of operation he would necessarily be the head; and he would consequently be a much more important personage, both in Ireland, and in the eyes of his Majesty's ministers.

Fortunately the Irish members, with the exception of a few of his own familiar spirits, had too just a sense of their own dignity to submit to the degradation of being dragged at O'Connell's chariot wheels. The answers to the circulars of the secretary brought only refusals to attend, and these, too, occasionally couched in terms not calculated to soothe the vanity of the great agitator. The resolutions of the union had called on every county, city, and borough to require their members to attend this national council. Mr. Hutchinson, one of the members for the county of Tipperary answered, "I am not as yet acquainted with the wishes of my constituents on this subject, and, therefore, it would be premature in me to obey your summons. Whenever the constituency of the county which I have the honour to represent shall instruct me to act in subserviency to a self-constituted association, I shall take the earliest opportunity of returning to them that trust which they have confided to me, and which I should feel I could no longer hold with honour to myself or credit to them."

This expedient having failed, the agitators were thrown back on their own resources. They therefore voted, and intrusted to O'Connell, a petition to the House of Commons against the Protestant church, which, while it announced in plain language, their own wishes, gave direct encouragement to the violent proceedings to which the peasantry in the counties were everywhere resorting. They there set forth "That the exaction of tithes and church rates by the priests of one creed, from a population almost exclusively of another, is a grievance without example in

history. That it is inconsistent with reason, subversive of all social order, and necessarily attended with a frightful effusion of human blood. That it is hostile to the interests and the true spirit of the Protestant religion, or of Christianity in any form. That the people of Ireland desire not a commutation, or a variation, of the grievance, but its total abolition. That nothing short of such total abolition will ever content or tranquillize them. That we, therefore, trust your honourable House will be pleased to take measures for the total and instant abolition of tithes and church rates in Ireland." The president ventured to object to the words "instant and total," and another, who thought that so open an attack on vested rights, might, as yet, do more harm than good, proposed to insert, as an alternative to the "instant and total abolition" of tithes, "restitution" of them to their original purposes; but all opposition was given up, on its being declared, that Mr. O'Connell had previously approved of the petition. On subjecting it, however, to a re-consideration, the sages of the Union took alarm at the proposition, that the collection of the tithe was "necessarily productive of a frightful effusion of blood," which had no meaning but this, that the peasantry could not do otherwise than resist it by force, and murder all who had any share in trying to make it effectual; and a more moderate expression was adopted by using the words, that the tithe system "had unfortunately occasioned the loss of many lives."

Under such instruction from the capital, it was no wonder that the counties presented one scene of growing lawlessness and crime. In

the King's speech at the opening of the session, his Majesty had recommended the consideration of the tithe question to parliament. The Irish Catholics considered this a royal condemnation of the tax, which they had already been taught to consider as an imposition of flagrant injustice; they looked upon tithes as already denounced by the King and parliament; they thought that they had in a manner legislative authority for all their resistance, and, at all events, they were resolved not to pay in the mean time what they were convinced, at no distant period, no man would have a right to demand from them. Not only, therefore, did every man for himself refuse to pay, but threats, arson, and murder were directed against all who, in any way, connected themselves with the payment or collection of tithes, whether as clergyman, proctor, policeman, or payer. The object was, to deprive tithe of a legal existence, by preventing the exercise of the law which recognized its existence, by whatever amount of crime that object might be gained. Not satisfied with individual intimidation, they had recourse to public proclamation, and their mandates to disobey the law under pain of death adorned the doors of their very chapels. To a chapel in the county of Meath was affixed, for the information of the Sunday congregation, the following notice:—

"Keep up your courage and persevere. There are 40,000 men well prepared and firmly determined to join you in the counties of Wexford and Carlow. Send notices to New Ross and Graigue, and they shall be with you in twenty-four hours. Any man that pays tithes, or does not join you

to defeat the supporters of that damnable imposition, is a traitor, and an enemy to the country, and you ought to pour the vial of your vengeance immediately upon him.

“N.B. Any person that takes down this bill will incur the displeasure of the Supreme Decree.”

Similar notices were scattered thickly over the country; and even at public meetings resolutions were openly voted, that if the police should interfere to aid in the collection of the tithe, they should share the fate of the police at Knocktopher, where, in the former year, several of them had been miserably butchered. Nor were these mere empty denunciations. The house and the barn-yard of the tithe payer were reduced to ashes; his cattle were houghed, or scattered over the country, or, as happened in the county of Carlow, hunted over precipices. There was no mode of destroying property, which ingenuity could invent, or reckless daring perpetrate, but what was called into exercise. Scarcely a week elapsed which did not announce the cold-blooded murder of a proctor, or a process-server, or a constable, or of some poor countryman who had thought himself bound to obey the law and to pay his debts. An archdeacon in the neighbourhood of Cashel was in treaty with his parishioners for a commutation of his tithes. They could not agree on the yearly sum which he ought to receive. They surrounded him in sight of his own house in broad daylight, and beat his head to pieces with stones. Several persons were ploughing in the field in which he was murdered, but either would not, or dared not, interfere. Whoever connected himself in any manner of way with the collection of tithe

had not one single hour's security for his property or for his life. In the beginning of February, the Irish government found it necessary to have recourse to the Peace Preservation Act, and proclaim certain baronies of the county of Tipperary to be in a state of disturbance.

But a proclamation imposed no check on the outrages of men who now deserved, from the openness of their attacks, the name of insurgents. In the county of Westmeath, a body of 200 of them assaulted and attempted to disarm a sergeant's guard, and a party of police stationed within a mile of a considerable town. In the county of Donegal they marched about in military array, armed with guns, scythes, and pikes, compelling landlords to sign obligations to reduce their rents, and to pay no tithe. In Kilkenny their deeds were still more atrocious. They not only made domiciliary visits to compel the surrender of arms, but accompanied their lawlessness with unrelenting personal violence, and they perpetrated these enormities in the open face of day. A larger body divided itself into smaller detachments. The latter took different directions to search the houses of farmers and proprietors; and when their work was finished, they again united, at the sound of their horn, to renew their labours on the following day. In one instance they cruelly abused a farmer and his wife, because they would not give up their daughter. They then searched the house, found the young woman, who had concealed herself, and carried her off. A farm had been standing unoccupied, because, on account of some unpopularity attached to its owner, no tenant would venture to

take it. A tenant at last had entered upon it; a new house was built for him. He was immediately visited by these Irish legislators, and compelled, on pain of death, to give up his farm and his house. A farmer having refused to surrender a pair of pistols to a body of these wretches, they dragged him to the hearth, raked down the fire upon his feet, and continued this torture till their object was accomplished. An end was put not merely to the payment of tithe, but to the payment of rent. A tenant ejected for non-payment was sure to have his revenge. If a new tenant entered, he had only to expect that his property would be committed to the flames, or he himself shot. The terror, which was thus universally propagated, went far to secure immunity to the offenders. To be connected with any attempt to execute the law against murderers, incendiaries, or robbers, was itself a high crime. To betray any activity in preserving order, was to become a marked man; to become a marked man was to be made the victim of open violence, or hidden assassination. The parties accused of the murder of a process-server and the captain of police, in the end of the preceding year, were brought to trial at the Kilkenny assizes in March. But, after the assizes began, the attorney-general found it necessary to delay the trials. He stated, there was such an extensive combination throughout the country to resist the payment of tithes, and to protect all who might be implicated, that the ends of justice could not be attained. A juror had objected to serve, on the ground, that, if he gave a verdict "against the people," his life and property would be in danger. The witnesses,

too, were either under the same intimidation, or were themselves members of the illegal combinations.

The government, in the meantime, had filled the disturbed districts with troops, and an augmented constabulary force; and in the middle of February, the greater part of the two counties of Kilkenny and Queen's County was proclaimed in a state of disturbance, and placed under the Peace Preservation Act. But no approach was made to the restoration of order. The magistrates of the county of Kilkenny, of all parties and persuasions, made an unanimous application to the Irish government, in the month of March, for stronger measures to meet the crisis. What these measures should be, they left to the government; some of them were of opinion that the insurrection act should be immediately passed, others were for having military law at once as being less expensive and more efficacious. The lord-lieutenant stated in his answer, that he had hoped that a vigorous course of proceeding at the Kilkenny assizes would have produced a salutary effect, but that circumstances which had taken place on that occasion left no expectation of any appeal to the law, under the existing excitement, proving effectual. Thus the Irish government acknowledged, that the criminals, who covered the country with terror and devastation, were too powerful for the ordinary course of law. Still, however, he did not think that it was necessary to have recourse to any expedients other than those which the existing laws provided. He sent into the county three additional stipendiary magistrates, and an hundred additional police-

men, from whom, and an ample regular military force, patrols might be sent out either by day or by night; but it was made imperative that every such patrol should be accompanied by a magistrate, and some of the military officers were furnished with a commission of peace.

The agitators and their political unions affected to deplore, in good set phrase, the perpetration of outrages like those which disgraced Ireland, but they did not cease to address to their countrymen the same exciting language in which they had hitherto indulged, and to encourage new schemes and combinations for open resistance to the law. From their divan in Dublin, they continued to describe Ireland to its inhabitants as the abused and insulted slave of England; they never spoke of the existence of tithe, and of those for whom it was levied, without painting them in colours which went far to strip any violence against either of the character of crime. They might not openly recommend murder and arson, but they loudly proclaimed the necessity and the propriety of conspiracy. They recommended the adoption of what they called passive resistance. They called upon every man to refuse payment, that is, they called on every man to refuse obedience to the law. If in default of payment, his goods were distrained, they called upon all his countrymen to refuse to buy them, and thus the remedies of the law would be disappointed. It was the merest hypocrisy for men who taught such lessons, to deplore the crimes to which they necessarily led. When the ignorant peasantry of Ireland were incessantly told, and told by those far above them

in education and rank, by men who were leaders in the court of justice, and loud and frequent orators in parliament, that humanity, justice, and patriotism demanded of them to take every expedient to set the law at defiance, they inevitably arrived at the conclusion that all who obeyed the law might be treated as participators in oppression. It was not in their minds that the nice distinction was to be drawn, between resisting an acknowledged law, and enforcing obedience to a new law enacted only by themselves. In truth, without the active punishment inflicted by the hands of Terries, and Alts, and Whitefeet, the agitators would have found their passive resistance a very helpless instrument. They might order their ignorant followers to suffer a distress rather than to pay, and they might denounce the curse of Ireland against any man who purchased the distrained goods; but neither the one nor the other would have operated widely, had not the order to refuse payment been enforced by the plunder and the murder of the men who did pay, and had not the curse of Ireland assumed the tangible shape of a musket bullet, or a stackyard in flames. The Trades' political union of Dublin put forth an address, "To the people of Ireland," in which, after showing that the intended reform bill was an injury and insult, they spoke thus of tithes. "There is another and a deadly wrong in the removal of which you are engaged—tithes—unholy, anti-Christian tithes; and here, fellow-countrymen and brothers, we implore your serious attention and consideration to those two important questions. Is it possible and practicable to abolish



and annihilate the odious impost for ever? It is (for the people of Ireland have proved it to be both) possible and practicable; they have acted with calmness, steadiness,—with a peaceful obedience to the law, so far as regards the use or exhibition of force, or tumult, or violence or outrage. They have submitted in the most quiet and peaceable manner, to distraint, to seizure, and those other methods which legislators fancy are able to enforce payment, without the smallest show or act of resistance, and have by this conduct deprived the enemies of the people of every ground for the application of force, of every pretext to commit murder or shed your blood in the exaction of this unholy impost. In most parts of Ireland where the payment of tithes has been refused, the people, from the humblest to the most wealthy, have formed a common purse or money-fund to relieve and compensate those persons who should suffer by distraint or prosecution; and there has, as yet, been no possibility of inducing people to buy, no matter at what price, any goods offered for sale under seizure for tithes. The common fund has provided against individual injury, and no buyers being found, no money could be extracted. Thus the tithes have fallen and disappeared for ever. This, fellow-countrymen, is a plain statement of what is doing at present in hundreds of parishes throughout Ireland. We do not exhort—we do not advise you to do so. We merely detail the simple facts; it is for your judgment to direct you whether or not you should imitate them.” These exhortations they described in the very same document as being “the language of conciliation, charity,

and peace,” and added as another example of the same amiable qualities, “the poor, the aged, the infirm, and the stranger, are left unprovided for and unprotected, perishing with want, and wasting away beneath pestilence and misery, while their lawful and undoubted patrimony is squandered by parsons and tithe-owners in luxury and pride, in prodigality and pomp—vices directly subversive of good morals, of piety, of Christian simplicity and charity, the brightest ornament of the priesthood.” This manifesto, they announced, was put forth “at the call of O’Connell, the unflinching and uncompromising asserter of Ireland’s rights.”

The expedients which were thus recommended, for the sake of disappointing the law, were eminently successful, and they were urged with the greater ardour in proportion as it became apparent that government, in dealing with the tithe question, had no present intention at least, to deal with it in the way which the agitators desired, and no intention to interfere with the church rates. The object of the Catholic leaders was, not an alteration in the mode of fixing and collecting the tithe, but its total extinction. The Protestant church was to be deprived of the character of a national establishment, by being deprived of the fund which the law had set apart for its support. But ministers had declared that they entertained no views of this kind. The funds of the church might be so regulated as to render their collection less burdensome, and, above all, to prevent any direct collision between the payers and the clergy, but they were still to continue to be the funds of the church, and to be



appropriated to no other purpose. The proposal of the government to remove the payment from the tenant to the landlord was the very last arrangement which the agitators would have desired; for it not only continued the tithe, but it likewise secured its more regular and certain payment by substituting for the peasantry, a much more responsible and respectable class of debtors; and it threatened, at the same time, to diminish their power over the multitude, because, when the farmers and peasantry no longer paid tithe, one mighty lever by which they were moved against the government of the country was taken away. On the other hand, they found that not even existing arrears were to be given up, and that, for these, the government itself became the creditor, and was determined to exact them. They could gain nothing by intimidating the clergy, who drew payment of their arrears from the public purse; it was the ministry and the legislature whom they must make to tremble before their terrors.

Nothing remained, therefore, but to set the continued existence of tithe *de jure* at defiance by abolishing it *de facto*. That again was to be accomplished by proving that payment of it could not be enforced, and the impossibility of enforcing it was to be established by preventing any man from voluntarily paying, or lending himself to any one proceeding by which, in the due course of the law, payment might be recovered. The remedy of the tithe owner was the distraining of cattle, which required to be preceded by certain legal forms. Whoever lent himself to the carrying through of these legal steps, were he even a country attorney, was to

be put beyond the pale of citizenship. If that difficulty could be surmounted, the law further required a public sale of the goods distrained. That step could be prevented by marking out for summary vengeance every man who dared to appear either as auctioneer or purchaser. This expedient was greatly improved upon by collecting all the population of many neighbouring parishes to attend every tithe-sale that was advertised, for it would not be easy to find a person who would make purchases in the face of two or three thousand men, assembled for the very purpose of showing him how many hands would be armed against his life, if he dared to interfere. Everywhere meetings were held to propagate these views, and organize the combination all over the country. Nor did these meetings consist only of the lower classes of society, whose passions were as unruly as their ignorance was deplorable. They were attended, partly from intimidation and partly voluntarily, by persons of a better class, and even sometimes by landlords, who seemed blind to the fact, that not only might the system of resistance be applied against the proprietor to whom the law gave his rent, as well as against the clergyman to whom the law gave his tithe, but that the violent threats, and the still more violent acts, which now formed the history of Ireland, had already been directed on more occasions than one, to enforce a reduction of rent. By a numerous meeting held in the county of Carlow, it was resolved "that the great body of the people of Ireland are reduced to a state of misery unparalleled in the history of the world!—misery chiefly attributable to the odious tithe system, and to

the rapacity of the majority of the parsons, who have neither affection for their country, nor feeling for their fellow-creatures.

“Resolved, that it is inconsistent with common reason, and incompatible with human understanding, to compel a Roman Catholic population to support in gorgeous splendor, in luxury, laziness, and ease, a horde of bishops and parsons, whose only employment is to spoliates the property of the people, and to traduce and malign their priests and religion.”

The resolution of a similar meeting of the county of Cork bore

“That it is a glaring wrong to compel an impoverished Catholic people to support in pampered luxury the richest clergy in the world,—a clergy from whom the Catholics do not experience even the return of common gratitude,—a clergy who in past times opposed to the last the political freedom of the Irish people, and at the present day are opposed to reform and a liberal scheme of education for their countrymen.

“That ministers of the God of charity should not, by misapplication of all the tithes to their own private uses, thus deprive the poor of their patrimony,—nor should ministers of peace adhere with such desperate tenacity to a system fraught with dissention, hatred, and ill-will.”

In another instance, the meeting, after denouncing, in the usual strain, the injustice and oppression of tithe in any shape, added this resolution,

“That we cannot refrain from publicly expressing our deliberate conviction that any law-agent, who identifies himself with this oppressive tax, by becoming the odious instrument of its exaction,

forfeits the confidence of the public, and deserves not to be employed on any business whatever.”

Nor was this an empty threat even as regarded the lawyers. It often happened at the sessions, that when a clergyman found it necessary to proceed by process against his parishioners, not one of the terrified attornies could be prevailed on to do his business. When sales were attempted, although the presence of military prevented any immediate violence from the multitudes assembled “to mark the buyers,” it could not overcome the knowledge that, when the business of the day was over, vengeance, in all its forms, would be let loose. The agitating orators of the anti-tithe meetings prided themselves in recommending no violation of the law. We will obey the law, they said, but we shall pay no tithe—sell our goods for it, if you can. But the very essence of such a system consists in the readiness to perpetrate individual crime; for it consists in this, that every one shall be made to know, that if he act in opposition to it, some evil shall overtake either his person or his property. At Granard, in the county of Longford, an intended sale, called forth a notice to this effect:

“Tithe payers beware.

“All honest men are now called on to join in the struggle against that most unjust impost, the tithes.

“Should any person be found so base as not legally to resist the rapacity of the plundering blood-sucking parsons, their names shall be posted in the most public places! and their memory be execrated by posterity. Who will be found to cut their hay and corn in harvest? The vile mercenary attorney, who degrades his legal profession by prostituting his services to enforce

this unchristian tax, shall be branded with infamy, and the servile wretches who retain him at quarter sessions or assizes shall also be consigned to public scorn and contempt."

The consequence of all this was, that in very few instances could a sale be carried into effect, and the clergy, at last, gave up all attempts to enforce their rights, the more especially as the arrears, if the measures proposed by the ministers were carried through, would become debts due to the government. Wherever a sale was actually effected, all those connected with it were made to feel the efficacy of that mode of respecting the law which consists in doing injury to all who obey it. Some cattle having been sold in the county of Kildare, a farmer who had purchased part of them, had to throw up his farm and leave the country. He offered them back to the owners at the miserable price which he had paid for them. They refused to receive them, because that would be having been paying tithe. He offered to allow the owners to milk them; but they would not milk tithe-distrained cows. Another, who had merely been a bidder at the sale, having occasion to receive some potatoes from Dublin by the canal, the peasantry, on the arrival of the cargo, tossed it into the water, and the proprietors of the boats were informed, that, if they were again guilty of so atrocious an offence against the first principle of legal and constitutional agitation, their boats would be sunk. A grocer had been so imprudent as to supply the clergyman with salt; his supplies were immediately cut off; no man would sell to him, and no man would buy from him. He

sent his cart to a distant town, where the facts were unknown, to purchase bread. His neighbours waited its return, and buried the bread in an adjoining morass.

A state of society in which the ruling principle was deliberate, disregard of the law, and a proscription of all who obeyed it, necessarily furnished fresh fuel to the acts of more atrocious violence which had so long continued. Midnight searches by bands of ruffians for arms, and systematic murder increased steadily. The Queen's county, in particular, was a scene of incessant outrage. Its magistrates had applied to the Irish government to take some more effectual steps to restore order, for they found all the powers, with which they were vested, insufficient to preserve the peace. No steps were taken except augmenting the military and constabulary forces. The mischief increased to such an extent, that a committee of inquiry was moved for in the House of Commons, and granted; and a special commission was sent down to try such offenders as had been apprehended. The committee of the Commons reported that the issuing of this commission had produced, in their opinion, a considerable improvement in the state of the county; they reported, at least, as a fact, that the disturbances and outrages had greatly diminished, and they ascribed it principally to the operation of the commission. They stated that, although it was true that the ordinary laws had been found sufficient to put down the various criminal associations which had existed from time to time, it was equally true that, in every instance, each association had made itself complete master of the coun-

ty where it was formed, and committed every species of crime and enormity with impunity, for a considerable period, before the course of law applied a remedy. "The practice of having recourse to a special commission, as the means of carrying into effect a vigorous application of the rigours of the law, has led to this; and while this practice is adhered to, the same result will happen, because the expense which attends the sending down of a special commission, and the difficulty of making out a case for it to act upon, must necessarily lead to postponing the appointing of one, until a long time after an illegal conspiracy has commenced its operations. In point of fact, although the law has been sufficiently strong and effectual for the ultimate suppression of Whiteboy associations, it has not been effectual in affording protection to the public against being exposed for a long time to the crimes and atrocities of those conspiracies previous to their being completely put down." In their opinion, the defects of the existing law consisted, in the magistrates not having proper legal assistance in discharging the technical parts of their duty; and the insufficiency of the means for tracing crime from their commission to the arrest of the offender; in great negligence and irregularity in the conduct of the proceedings between arrest and trial; and above all, the want of some system for bringing offenders speedily to justice, so as to meet, at an early stage, the effects of conspiracies to subvert the law. They recommended, that power should be given to the Lord Lieutenant, that, if a case of violent disturbance of the peace by a Whiteboy association, should actually occur, to

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issue his warrant for a special assembling of the court of quarter sessions at a period when, according to the ordinary course of law, it could not assemble; and if the occasion should seem to require it, to appoint a person of high standing at the bar to act as assessor to the court: the court to try all persons charged with the Whiteboy and other offences below the rank of capital felonies, and to continue to sit until tranquillity was restored. The evidence taken by this committee convinced them, that it was the desire of all the well-disposed, of every persuasion, that some control should be exercised over nocturnal meetings, wherever a Whiteboy conspiracy existed. The committee recommended, that this control should be provided, but never to be acted upon except under circumstances of the most urgent necessity, and only in presence of an officer of high responsibility; while the punishment inflicted on persons found absent from their houses in the disturbed districts, should be, in the first instance, of the slightest description. Wherever the Lord Lieutenant should have appointed a general sessions for trying the minor Whiteboy offences, the court should be empowered, on a representation from the grand jury of the sessions, to issue its warrant to give authority "for calling at the houses of suspected persons to try if they were at home," the warrant to be executed always in presence of a magistrate; and the persons who might be absent from their houses to be summoned, and, if unable to give a satisfactory explanation to the court of the cause of their being absent, a record to be made of their conviction for absence. Those persons, who should

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be found absent a second time, should be required to give bail for their good behaviour for twelve months, and in default thereof, they should be committed to the county gaol for one month. This report was presented at too late a period of the session to leave time for its being taken into consideration.

The conspiracy against the payment of tithe and church rates, was in opposition to the government, no less than to the clergy. The intention of it was to drive ministers, if possible, to recommend and enforce their abolition by rendering the recovery of them impracticable. The reforming ministry had the hard fate of being, in Ireland, as unpopular and as openly abused as any ministry could well be. O'Connell told them, in the House of Commons, that they were infatuated in every thing they undertook in regard to Ireland; that all they had accomplished had merely been, to forfeit the confidence of all parties: and unfortunately, though O'Connell's opinions and statements carried little weight in the minds of prudent and honest men, they were treated with much more respect in Ireland. The political unions, and the tithe meetings, repeated the notes which he and his parliamentary comrades taught them. In their resolutions they described the measures recommended by ministers for the regulation of tithes, as a thing "to be viewed with horror" and dismay, calculated to degrade the landlords in the eyes of their tenantry, by reducing them to the already too odious condition of tithe proctors, thereby exposing the bonds of society (already sufficiently fragile) to be utterly rent asunder; and they

got petitions praying the House of Commons to take measures for procuring the removal from office of Mr. Stanley, the Irish secretary, as being, "either grossly ignorant of the wants and wishes of Irishmen, or absolutely hostile to their best interests."

The anti-tithe meetings, as they were termed, continued to spread from parish to parish, and from county to county, involving the greater part of Ireland in one huge conspiracy. Every one of these meetings was an illegal act, notwithstanding the hypocrisy with which their patrons prated of the legality of their "passive resistance." To refuse payment was to refuse obedience to the law; this individual or that might choose to do so; but a combination of various persons, and much more an organized combination, branching over great part of the kingdom, to support themselves and others in refusing obedience to the law was a conspiracy and a misdemeanour. An anti-tithe meeting was held in the county of Kilkenny in the middle of July, to which assembled, with flags and banners, all the population within four-and-twenty miles. The usual seditious and inflammatory resolutions were adopted; and the chairman of this meeting bore the King's commission, as deputy-lieutenant of the county. Even men of property and rank, whose opinions taught them to think rightly of such proceedings, found themselves far from independant of the determinations of these organized mobs; for, if known to be hostile to the courses which had been adopted, or to have been guilty of the enormity of paying tithes, not a man of those, whom they were wont to employ, could be found to do any work upon



their property, and all others were prevented by force from taking their place. The potatoes remained undug; the cows stood unmilked; the crops were left to perish on the ground uncut. The very mail contractors, if tainted with this plague-spot, could not find servants to change or to water the horses. An idea of the proceedings of the peasantry and labourers may be formed from what took place, in the beginning of July, in the neighbourhood of Dublin. A number of gentlemen, and among them Lord Cloncurry, were summoned to appear before an assembly of these persons, who had deprived them of every sort of service. Only one of the accused attended. He was the owner of a large dairy, and his "milky mothers" had stood unburdened for three days. He now expressed his deep regret at having differed in opinion from the "people," promised to pay no more tithe, and his labourers returned to their work. The meeting was then adjourned to give the other recusants an opportunity of appearing. On this second occasion three more came forward, and made their peace in the same way, agreeing, likewise, to pay their servants for the time during which they had refused to work. A fourth, who was a coach proprietor, being himself on business in England, attended by his agent, who assured them that his principal should come before them, as soon as he returned, and would undoubtedly comply with their wishes. This was not considered satisfactory, and the horses and coaches were left to attend to themselves. One man, who had remained in the stables after the rest threw up their work, was excused only upon an

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assurance, that he was drunk at the time, and that he would never venture to act for himself again. As self-constituted representatives of Lord Cloncurry there appeared a number of his labourers who had not yet deserted him. They related that they had held a conversation with his Lordship about the payment of tithe; that, according to his account, he had paid no tithe for thirty years; but the clergyman, holding some land of him as a tenant, he never asked for rent, and the former did not ask tithe. The peasant conclave decided very correctly, "that's just the same thing, and he is a big tithe-owner himself." His Lordship's labourers then asked; "who will support us and our families when we give up work?" "We will," answered one of the leaders; and it was added, that, if they persisted, not a potatoe, nor a sod of turf to boil it, would they be able to procure, for love or money, in the whole neighbourhood. The poor men, after consulting among themselves, announced that they thought it better to agree to the wishes of the meeting. In the county of Limerick, a clergyman had shown a disposition to enforce payment of his tithes. Next day, all his labourers struck, and every agricultural operation was suspended. He obtained the assistance of a number of tenants from a neighbouring estate, to cut his turf on one day. The parishioners immediately assembled in full force, and compelled the interlopers to retire.

The government, at length, seemed to think it time to try whether the law could not reach the tumultuary assemblies of the anti-tithe men, and the ringleaders who collected them. The Vice-Lieu-



tenant of the county of Kilkenny was dismissed from his office. A circular was addressed to the magistracy by the Irish government, directing them to disperse all meetings collected in such numbers as to produce alarm, and endanger the public peace, or distinguished by banners, inscriptions, or emblems which tended to disturbance, or throw contumely on the law. O'Connell denounced this circular as illegal, and expressed his hope that a reformed parliament would not hesitate to receive an impeachment of the Irish government founded upon it; but still he gave his advice that it should be obeyed. In consequence of these instructions, various large meetings were dispersed by the military, headed by a magistrate; but where the meeting was strictly parochial, and quietly gone about, no opposition was offered to their petitioning against tithe and church cess. At the same time, a number of those persons of the better class, who had played the principal part at meetings where a combined scheme of disobedience was preached up, were arrested, and held to bail, on a charge of misdemeanour. Among them were two of O'Connell's familiars, the president, and vice-president of the Trades' Political Union. The grand jury found true bills against them, on the 4th of August, for having conspired, "unlawfully" to oppose and resist the payment of tithes, and to frustrate the remedies provided by law for the recovery of tithes, and for soliciting and conspiring to procure the King's subjects to hold no intercourse with any persons who should pay tithes. Following the example of O'Connell, when he was in a similar predicament, they set their wits

to work to gain time. Costello took advantage of his legal privilege, to traverse to the next commission; the others pleaded in abatement, that some of the grand jurors who had found the bills were not seized of freeholds in the county of Dublin. A number of arrests took place, at the same time, in the county of Tipperary. Among the persons held to bail was lord Galway who had filled the chair at an anti-tithe meeting held in the neighbourhood of Clonmel.

The granting of Catholic emancipation was to have quieted Ireland, and, at all events, to have put an end to any agitation of the question of a repeal of the union; but unfortunately, it was only after emancipation that the question was most vigorously pressed. The reform bill was to be another charm to lay that evil spirit; but unfortunately the reform bill gave it now new life, and armed it with new weapons. This was the natural course of things. Emancipation and reform were sought for by the Catholic agitators as means, not ends; it was only by an Irish parliament, elected by a Catholic democracy, that the interests either of their own ambition, or of the ambition of their infallible church, could ultimately be advanced. The agitators had wished, from the British parliament, the abolition of tithes as a fund for a Protestant church, and their demand had been refused. They had wished for Ireland a number of members which should enable them, between contending parties, to rule the House of Commons, and so democratic a constituency to elect those members as would render them the creatures of the influence which they themselves directed at their will. In both points their views had been

frustrated. All these matters were now converted into charges of positive injustice on the part of the British government, and set down as irrefragable proofs, that Ireland had nothing to hope except from a parliament of her own. Henceforth, therefore, they declared that repeal was to be their watch-word, and they scarcely concealed that, all along, it had been their great object. "I was ready" said one of the leading members of their political union, "for the moment, to merge repeal for the purpose of securing reform," but he would now, in order to effect the greater good, take his stand for repeal. O'Connell himself told them, "I now give a warning to the government. It is the last that I shall give them, and, if it be unheeded, the remedy shall be sought in a domestic parliament. I have always proclaimed, that I was an agitator with ulterior views, and I now tell them, that they are getting up a bad, insulting, reform bill, and are thereby making the people of Ireland repealers." This meant, that the union must be repealed, unless ministers consented to model the Irish reform bill according to Mr. O'Connell's wishes. They refused so to model it: he knew that they would refuse, and had already refused, so to model it. He had written to the national political union on the 10th of February, "I shall do no more than again remind the union, that we can never see attention paid to Irish interests until we see once again a parliament in College Green." The same means of agitation were still at his command. The repeal of the union, instead of being laid to rest, was now placed in the front of the battle. It took the place of emancipation, reform, and abolition

of tithes, or rather it was held out to the people as comprehending them all, and being the only means by which these great blessings could be gained or secured. With the same view, the agitators began zealously to soothe and flatter the Orangemen, and bring them into one great fraternal union to free Ireland from the tyranny of the British parliament. Some of the Protestants, irritated at the recklessness with which they believed their interests to have been disregarded by the government, allowed themselves to be tempted by this delusion, for no greater delusion could there be than to expect that, in a pure Irish parliament, Protestant interests would find either justice or mercy.

The passing of the tithe-bill did not tend to mitigate the discord, or diminish the crimes which that discord produced. The people had been taught to demand as their right, and to expect as a concession which they were now able to extort, the utter annihilation of tithe. They found, that the crown had become creditor instead of the clergyman. Proceedings were immediately adopted, under the bill, by the law officers of government to enforce payment of the arrears. At the same time it was resolved to try the power of the law against the ring-leaders of the tumultuous assemblies which were constantly called together under the name of "Anti-tithe meetings," to encourage and organize resistance to the payment of tithes. A great number of persons were apprehended, on the charge of conspiracy, and of holding illegal assemblies. Before the end of the year they were brought to trial, and the majority of them, after a few convictions had taken place, pleaded guilty to

the indictments. They pleaded guilty even by the advice of O'Connell himself, their great leader in politics and law; under whose immediate patronage the holding of these meetings, and the denunciations which they thundered forth, had been conducted. Two of his most noisy retainers, the President and Vice-President of the Trades Political Union, were convicted at Dublin, and sentenced to six months' imprisonment. Their defence was, that, in the course they had taken regarding tithes, they were only following the example of ministers and of the people of England in regard to rotten boroughs, and that they thought they had been aiding the ministry in their efforts to abolish tithes. A number of similar convictions took place in the counties of Cork and Tipperary. The punishments inflicted were fine and imprisonment. The criminals were looked upon as martyrs, and the penalties, which they were suffering, were set down as another unpardonable injury committed against Ireland by the English government, and the Protestant church.

The law was not equally powerful when directed against the more atrocious crimes which, in some of the southern counties, had left life and property at the mercy of organized murder and rapine. No man's life being safe, jurors no less than witnesses, began to dread the execution of a duty which might turn out to be pronouncing a sentence of death upon themselves. Rather than attend, they paid the fine for absence, or, if they attended, they were afraid to convict even in the most atrocious cases. At the Kilkenny Assizes in the month of March, one of the persons who had killed a tithe-process server in the

performance of his duty, at Carrickshaugh, in December preceding,\* was brought to trial. He was proved to have been in the mob, calling out "the process server or blood," and to have followed him and the constables, armed with a pitchfork with which he made repeated thrusts, threatening that if the police fired a shot to save the intended victim, they would not escape alive. The Jury, after having been inclosed four hours, returned a verdict of acquittal. One of the witnesses stated, that his life would be in danger, if the prisoner was convicted. Another said, that he had subscribed towards the expense of the defence, and, in doing so, thought he was discharging a duty to a great national cause, viz. resistance to the payment of tithe. The crown delayed the other trials till the Assizes in July, partly from a belief that the Jury, like the witnesses, were intimidated, and partly because, even putting positive fear aside, the combination against tithes was so general in the county, that the crown could not hope for justice. But even this latter impediment to the execution of the law resolved itself, in a great measure, into actual intimidation; for numbers of persons, and precisely persons belonging to these better classes from which Jurors are taken, although apparently falling in with the combination, were doing so only from dread of what they knew must follow, if they should be known to be its enemies by hanging those who robbed and murdered for its welfare. When the trials proceeded at the Assizes in July, the state of the country was in no degree improved. The determination of go-

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\* Vol. lxxii. p. 327.

vernment and parliament not to abolish tithes, and the appearance of the former, in its own person, to enforce payment of arrears, rather inflamed than mitigated exasperation. In his charge to the Grand Jury, Mr. Baron Foster, after stating that there were no fewer than twenty-five persons accused of murder, added, "but gentlemen, this still is not all; for there have been murders committed in this your county, for which no accusation whatever has been brought forward against any individual; and allow me to observe on this, that in my opinion the absence of accusation, under such circumstances, speaks worse, by far, the general character of the state of the county, than even do perhaps the indictments that may be preferred in the case of the others, because it evinces that, however strong the desire might exist in the human mind to bring offenders of this kind to justice, still intimidation is found to prevail over every such natural feeling or desire." There was difficulty in finding a petty jury, though a penalty of 50*l.* was inflicted for absence. John Ryan, being tried for the butchery at Carrickshaugh, the Jury had to be discharged, being unable to agree upon their verdict. William Voss was arraigned on the same charge. The Jury acquitted him. John Ryan was put to the bar on a second indictment, and a second time the Jury was unable to agree. The law officers of the crown gave up the prosecutions in despair, and murders of unmingled atrocity remained unavenged. In celebration of this triumph over law, justice, and humanity, the county of Kilkenny blazed with bonfires, announcing to the world the joy of its people, not that the

innocent had escaped conviction, but that the guilty had escaped punishment. The Jurors, too, received their well-earned share of popular applause. While a proprietor, who was known to be hostile to the existing combination, or to the crimes by which it was supported, could not procure labourers to cut down his harvest, the peasantry hastened in crowds to the fields of the "acquitting jurors," and reaped them for nothing—the expression of their gratitude for being allowed to commit murder with impunity;\* and thus the most important element in the constitution of a criminal tribunal gave its sanction to crime, if that crime were only committed in resisting the execution of the law.

Crime, accordingly, prospered. The clergyman of Borrisokane, in the county of Tipperary, having

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\* The following account appeared in the Irish newspapers of the middle of August, and is a good example of the feelings of the people. "Last Tuesday (Aug. 14) a singular scene occurred at Jerpoint in this county (Kilkenny) the seat of William H. Hunt, Esq. one of the jurors favourable to the acquittal of the Carrickshaugh prisoners, and a county magistrate. A large field of wheat, containing 40 acres, had become fully ripe, and his neighbours from the surrounding parishes of Knocktopher, Ballyhale, Carrickshaugh, Hugginstown, Cashill, Knockmayland, &c., assembled, to cut it down for him. The Carrickshaugh men mustered 1,300 reaping-hooks, and were allowed the honour of marching first into the field. headed by Mr. Conway, of Ballyhale, who read an appropriate address to Mr. Hunt, expressive of their admiration of the sense of impartial justice by which he was distinguished, and their conviction that his liberal sentiments concerning that odious and grievous oppression, the tithes, accorded with those of millions of the people of Ireland. To this Mr. Hunt made a suitable reply. A band accompanied the party from Knocktopher; but, on the suggestion of

found it necessary to seize and sell some cattle belonging to refractory debtors, the combination prevented an auctioneer from acting, and purchasers from bidding. The cattle were offered back to the owners at the low price offered for them; but this was scornfully refused. They must have blood, the more especially as the attendance of military at the sale had prevented violence there. A driver, accompanied by a son of the clergyman, conducted the cattle to a neighbouring fair. On the public road, and in broad day-light, the non-payers of tithe murdered the driver; and, although his companion did survive, it was only by mistake—they left him for dead upon the high-way. Another clergyman was shot dead on his own lawn, while overlooking the labours of his servants. To secure the tithes, certain proceedings are necessary in surveying and valuing. The persons employed

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some gentlemen who acted as harvest-stewards, they ceased playing until they entered the field, lest it should be seized on as the characteristic of an illegal assemblage. A poetical address was presented to Mrs. Hunt, who gratefully responded, and then the work began in earnest. The stewards counted 1,700 reapers and 800 binders engaged in the frolic; amongst the latter were farmers with their wives and daughters who had never worked a day for themselves. While Mr. Hunt invited about sixty of his friends who acted as stewards to dine with him at Jerpoint, the Carrickshaugh boys invited the rest to cut down the wheat of Mr. Conway of Ballyhale, now ripe also. About 700 reapers volunteered, and by the time Mr. Conway returned home from Mr. Hunt's dinner-party, he found all his wheat cut, bound, and stacked!

“The boys” were further anxious to know if their friend Mr. Smithwick, of Kilkenny, had any wheat ripe, declaring they would go forty miles to cut it for nothing, and that they would drink no beer but his during the harvest.”

in performing these duties, required every where the protection of the military. In the beginning of September proceedings of this kind were to be adopted in the parish of Wallstown, in the county of Cork; the peasantry assembled to resist; they attacked the military; the latter had to fire in self-defence. Four of the peasantry were killed, and several others wounded. Not a lament had been raised by the political guides of Ireland over butchered land-holders and murdered clergymen; but now O'Connell sent forth a letter “To the Reformers of Great Britain,” invoking vengeance for the slain violators of the laws. “Brother Reformers,” said he, “there is blood on the face of the earth! blood — human blood, profusely shed! Will it sink into the earth unnoticed and unregarded, or will it cry to heaven for retribution and vengeance? There is blood—more blood on the face of the earth! It is Irish blood—the blood of the latest Irish, slain in that continued conflict of oppression which has already endured seven centuries! British oppression! which appears as fresh and unsatiated in its appetite for human gore, as if it had been imported only yesterday, and had never before snuffed the air tainted with Irish blood. There is blood on the face of the earth—the once green fields of Wallstown are red with the latest Irish blood! Said I the latest? Alas? before these lines meet the eye of any one British reformer, another massacre may have been perpetrated,—another tale of slaughter may have been added to the dark catalogue of crime, and a more recent enormity may have thrown the butchery of Wallstown into comparative oblivion. They have been buried,

they are sweltering in their graves! Their funerals were numerously attended, but no funeral cry was heard. They were buried in sorrow, but in silence. No man's lamentation, no woman's wailing, was heard! unless, when nature, yielding to the force of suffocation, made the mother's heart, as it were explode in one wild scream, or the widow's single shriek, or the orphan's convulsive sobbing, broke upon the ear. They have been buried in silence and in sorrow. Men grieved over their graves, but shed no tears. There was determination, dark, taciturn, profound. There were thoughts of vengeance, and wild schemes of retribution. But no, they shall not, the survivors shall not be left to what has been called the wild justice of revenge; no, if there be real justice to be found upon earth, I will seek it for them, nor shall I, as I do confidently hope, seek it in vain." Where was this man's head

or heart, when, day after day, he had witnessed "blood—more blood—more Irish blood" shed on the earth, drawn from the murdered bodies of peaceful, respectable, and virtuous citizens, as if the appetite of his banded ruffians "for human gore had been imported only yesterday and had never before snuffed the air tainted with innocent blood"—while his whole life was spent in defending or palliating their atrocities, and encouraging all the ignorant and angry feelings which were degrading his countrymen into the most brutal miscreants on the face of the earth.

Even under the new act, the posting of notices for payment of the arrears was obstinately resisted. A party of armed police being engaged in this duty, in a parish in the county of Kilkenny, in the beginning of October, the police were compelled to fire, and two persons were killed.



to bind the representative to repeal particular taxes, without ever inquiring how the money was to be dispensed with. The principle was most plainly stated in the resolutions adopted at a meeting of liverymen of London, as follows:

“ Resolved—1. That for one man to represent another, means that he is to act for that other, and in a manner agreeably to his wishes and instructions.

“ 2. That members chosen to be representatives in Parliament ought to do such things as their constituents wish, and direct them to do.

“ 3. That therefore it appears to this meeting, that those to whom the law now commits the sacred trust of the power of choosing members, who are to represent their non-voting neighbours as well as themselves, ought to be scrupulously careful to choose no man on whom firm reliance cannot be placed, that he will obey the wishes and directions of his constituents.”

Then followed a list of pledges, concluding with an engagement to be exacted from the member, that he would “at all times, and in all things, act conformably to the wishes of a majority of his constituents, deliberately expressed, or would, at their request, resign the trust with which they had honoured him.” Whoever would take the pledges, was sure of a large party; the lower the general caste of the electors, the greater was his chance of success. With the system of pledges, the conservative candidate, would have nothing to do. Even ministers looked upon them with a very evil eye, both because, as men of education, they must have seen the absurdity of the system, and because that system would have

pledged them to things which they did not wish to do. They said; that the best pledges of a man's future conduct were to be found in the past; and they referred to what they had done, in carrying reform, as the best security which could be demanded, that they, and those who came forward as their adherents, would govern only for the benefit of the people. Sir John C. Hobhouse having refused to take the pledges of the Westminster radicals, another candidate was started against him; and his noisy popularity was so far abated, that, on the day of nomination, he was not allowed to speak, and was pelted from the hustings. At the poll, however, he beat his antagonist. It was evidently the policy of ministers, where there was a contest between a radical and a conservative, to pray for the success of the latter, with whom they had so many more points in common, and whom, they could scarcely suspect of either the ability, or, in the present state of things, of the inclination, to turn them out of office. This rule, however, they did not always follow.

The elections went unavoidably, in by far the greater number of instances, in favour of the ministerial candidates, or of candidates who professed the same general views, and declared their adherence to a reforming ministry. Instead of the number of members returned, who had been, or would have been, hostile to the bill, being unexpectedly small, the crisis at which the election had taken place rather rendered it surprising that the tories carried so many seats. In general, and in all the new boroughs, the election depended on newly-created voters, and on the lower classes of these voters. These

electors were despotic in the exercise of an unaccustomed privilege in the vigour and wantonness of its first existence. They remembered their political creators in the days of their youth. They could not refuse their votes to the men who had given them the right of voting; and it was set down as an axiom, that whoever had been against the bill would be against all the blessings which were to follow in its train. The charm, which had so long dwelt in the word reform, had not ceased to act; and the conservatives could have no reason to expect they would be favourably listened to by the patient, till the fever of excitement had more completely cooled down, and the fondly cherished delusions had passed away. Under the system established by the act, it might be doubtful whether the time would ever come, when sober reason would be able generally to defeat the influence of mere narrow views, vulgar love of power, and shortsighted self-interest; but assuredly that time was not yet arrived. The consequence no doubt was, the loss of many men of great talent, of honourable characters, and acknowledged usefulness; while men were returned, on the faith of pledges and reform, to whom, although the affairs of the nation were to be entrusted, no man would have thought of entrusting any affairs of his own. But this was a necessary consequence of the excitement and violence which had accompanied the transference of power into new hands. However, many of the elections terminated wholly or in part, in favour of the conservative candidates; and in many of those in which they were defeated, it was only by very small majorities. In Essex, Mr.

Western, a sworn friend of the bill, was defeated by Mr. Baring, who had opposed it to the last. In the city of Bristol, Sir R. Vyvyan, another of its most determined opponents, was placed at the head of the poll. Liverpool retained as one of its members Lord Sandon. Norwich and Stamford selected each of them its two members from the ranks of the anti-reformers. A certain Mr. Duncombe, who had uttered more violent trash in favour of the bill than any man in the house, was ejected from Hertford, along with his colleague to make room for Lord Ingestre and Lord Mahon, the latter of whom had moved its rejection. At Newark, both the members belonged to the same class; Mr. Serjeant Wilde, who had there planted his popularity amid the reform tempest, being at the bottom of the poll. In Sudbury, Sir J. Walsh was elected, who had written pamphlets against the bill, and the second seat was lost to a conservative candidate by nineteen votes. Harwich, which used to be a ministerial borough, lost its character, and appeared in rebellion against them. The county of Dorset, which had to return three members, placed a friend of the bill and the ministry between two opponents of both. The latter class, likewise, carried both seats for Westmoreland, and one of the seats for one of the divisions of Cumberland. In many other boroughs and divisions of counties, they divided the representation with the ministers; one of them, for instance, being made the colleague of the Chancellor of the Exchequer in Northamptonshire. The universities of Oxford, Cambridge, and Dublin, continued true to their former faith; the last.

notwithstanding the extension of the constituency, rejecting the Attorney General.

But, although a greater number of members than could have been expected were thus returned, and returned, in various instances, by places in which such a result was least of all to be expected, the flood went with the ministry, and the ministerial candidates obtained a majority which, if increased by the radical members, who were willing to go all lengths with them in one direction, was overwhelming, and which, even without them, seemed to be as decisive a majority as a minister could wish. The professed radicals built their nests principally in the newly-created boroughs, among a large and artisan constituency. Hunt was defeated at Preston, where the operation of the bill had diminished the constituency. William Cobbett, after failing at Manchester, was returned by Oldham,—one of the fresh creations,—to be a legislator of the British Empire! Birmingham could do nothing else than fix its choice on Mr. Attwood, the leader of its political union. Sir C. Wetherell, Sir Edward Sugden, and Mr. Sadler, were rejected at Oxford, Cambridge, and Leeds, as unworthy to sit among the new legislators. Mr. Croker, having fought the battle against the bill to the last, with gallantry and skill, which commanded the respect even of opponents, voluntarily withdrew from the parliamentary arena.

In Scotland the ministry was still more triumphant. That part of the kingdom sent up few tories, and still fewer declared radicals. Of fifty-three members, ten or eleven belonged to the conservative party; not more than three could be counted on as radicals. The city of

Edinburgh elected the Lord Advocate, and the retired Chief Baron of the Court of Exchequer. In Glasgow, where the constituency was the largest in Scotland, being 7000, a strong, but unsuccessful battle was fought for radicalism. It selected for its members an accomplished and moderate-minded merchant, and gave him for his colleague a practised whig. In the county of Perth, Sir George Murray, distinguished equally as a soldier, an orator, and a statesman, was ousted by the eldest son of the Marquis of Breadalbane, because he had refused to accept the reform bill as it came from the hands of ministers; and Sir George Clerk shared the same fate, for the same reason, in the county of Edinburgh. The Scottish peerage, however, returned, among their sixteen representatives, only one ministerialist.

In Ireland, ministers could by no means boast of the same decided triumphs. There the agitation was against them. O'Connell had denounced them, even while the reform bill was in progress, as acting with insult and injustice towards Ireland in the measure of change which was meted out to her. The refusal to abolish the protestant established church of Ireland, had converted him and his bands into declared enemies; and all their engines were employed to return members, who would either drive ministers from the helm, or drive them to sacrifice the church, and repeal the union. On the 20th of August, he addressed a manifesto to the National Political Union of Dublin, directing the formation of parochial committees to attend to the registration of voters—an organization which could be equally well used to attend to their votes, and then he pointed out very clearly

to what their votes were to be directed. "I start for the 'repeal.' Let all those who love Ireland join me. Agitate — agitate — agitate. Such were the words of 'four-gun' brig Anglesey. Let our agitation be peaceable, legal, and constitutional; but let it also be persevering, continuous, and determined. I see plainly we shall soon have Bully Boyton and the conservatives joining us in the repeal cry—then hurrah for the parliament in College-green." Shortly afterwards in a letter addressed by him "To the Reformers of Great Britain," on the occasion of the contest at Wallstown between the military and the peasantry, he put forth articles of impeachment against the ministry. "First.—The Anglesey government in Ireland has instituted more prosecutions than any other government this unfortunate country ever endured. — Second. The Whigs in Ireland have carried on, and are carrying on, more prosecutions against the press than any Tory Administration whatsoever; and, to my mind, there cannot be a greater proof of the folly and oppression of any administration than the multiplication of prosecutions of the press. — Third. More human blood has been shed in Ireland in the year and a half of lord Anglesey's government than during the last twenty years of the Tory Administration. The distinguishing feature of the Anglesey Government is the frightful quantity of human blood that has been shed during that administration. It may, indeed, be designated as a history of blood.—Fourth. There was not so much Irish blood shed during the administration of lord Strafford, and yet he justly expiated his crimes on the scaffold.—Fifth.

The scenes of blood seem only about to commence. The tithe campaign, in which the government is sole plaintiff, is only about to begin. The statute which transferred to the government the arrears due for tithes to the clergymen has not as yet been called into operation; but preparations are making to bring it without delay into active resistance. Well, then, may I say that the work of blood is only beginning. Reformers of Great Britain, I call for your assistance. Let the approaching elections teach earl Grey that you will be no parties to the insane and oppressive abuses of the Irish administration." On these principles he "started," as he had promised. He even offered to coalesce with the Orangemen. The result of the influence which he and his faction wielded was, that the number of "repealers" returned was portentously increased. He himself came in for Dublin; and he brought along with him, from different boroughs and counties, half a dozen of his own immediate relations, besides various immediate demagogical dependents.

The arrangements by which the poll was taken at different places tended greatly, especially in the counties, to the preservation of the public peace, because it divided the mob. In many of the most populous places, including London and Westminster, no inclination to disorder was manifested. But nevertheless, the elections were accompanied, in many instances, with a great deal of violence and riot. These scenes commonly occurred where a radical candidate was falling behind, and would have been much more numerous, if more tory candidates had been getting a-head. At Preston, the defeat

Hunt led to a very formidable riot, in which several persons were dangerously wounded. At Bolton, the mob engaged with the constables and pulled down the barricades erected at the polling places to facilitate the coming up of voters. The riot became so furious, that the returning officer had to exercise the power given to him by the statute of suspending the poll. It was again opened ; but again had to be closed, the riot becoming so alarming, that it was only by calling in the assistance of a military force, after reading the riot act, that the election could proceed. The prison was broken open, and the incarcerated rioters set free. Huddersfield, too, and South Shields, had each its riot. At Walsall, the rabble of the most radical candidate took possession of the ground around the polling place, and by violence prevented the voters of his opponents from coming up. The police, after a severe contest, were unable to remove them. That could be effected only by military force ; and then the radical protested, that the calling in of military to prevent his mob from preventing voters from appearing, was interfering with the freedom of election. A similar scene took place at Nuneaton in Warwickshire. At Sheffield it was found necessary that the military should fire, and several lives were lost. At Carmarthen, Warwick, Mansfield in the north division of Nottinghamshire, Uxbridge in the east division of Somersetshire, and other places, the poll had to be suspended in consequence of riots.

In our annals of last year we have recorded the appearance of the cholera morbus, or of a disease which resembled that malady in its symptoms and mortality so

much as to entitle it to the same name. At the end of the year, it had principally attacked Sunderland, where it first appeared, and had spread to Newcastle, and its suburb Gateshead. Thence it made its way into the villages on both banks of the Tyne, above Newcastle as well as below, and attacked the population connected with the different collieries. In the beginning of February, when the disease in that quarter had run its course, there had been in Newcastle 934 cases ; of which 294, less than one third, had terminated fatally. In North Shields and its neighbourhood, out of 257 persons attacked, 67 had died. From the north of England, the disease took its course into Scotland, and, leaving untouched the whole intervening country, appeared first at Haddington, where the deaths were more nearly one half than one third of the whole number of cases. After Haddington it appeared at Musselburgh, a small town within six miles of Edinburgh, where its malignity proved peculiarly extensive and obstinate. The northern capital was in great alarm, but likewise had adopted in time all proper precautions. Supported by voluntary subscriptions, the poor were supplied with warm clothing and nourishing food. A board of health was erected, guided by the advice, and aided by the active services of the whole medical school of Edinburgh. Every provision was made, both to prevent, as far as was possible, the approach of the disease, and to crush it, wherever it should appear. The first cases occurred in the last days of January, and the malady continued to linger on for several months ; but so well arranged had been the measures prepared to meet it, that



in no spot of the United Kingdom, looking at the population, did the visitation pass off so slightly. After the first alarm, the citizens of Edinburgh, though now surrounded with infection, felt little apprehension. The disease, following its erratic course, after attacking the villages around Musselburgh and Haddington, appeared all at once at Kirkintilloch, seven miles from Glasgow, on the banks of the great canal which joins the Forth to the Clyde. It then appeared in Glasgow, where its approach had been much dreaded, from the mass of squalid population with which Glasgow swarms, like every other large manufacturing town. For a while its ravages were alarming; and here, as in Haddington and some other places, after a decline which seemed to announce its extinction, it revived for a time, with increased energy. But though the number of cases was great, the mortality was smaller than in many other places, being altogether about one in three. In some of the manufacturing villages round Glasgow, it was much more fatal. Its progress could no longer be traced. Every day brought intelligence of its appearance in some new quarter; and, during the summer, it penetrated through the whole of the north and west of Scotland, being no where more fatal than among the highland villages of the counties of Caithness and Sutherland.

By this time, however, preparations had everywhere been made, by legislative authority, to meet its approach, and check its progress. So long as the disease appeared to have started from Sunderland to attack only Scotland, parliament was silent. The citizens of that part of the empire were left to

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defend themselves by their own voluntary contributions, their own activity, and their own medical skill, directed by their own good sense. But, in the beginning of February, the cholera showed itself in London; although, so far as was known, the whole intervening country, whether between Newcastle and the capital, or between Scotland and the capital, remained unaffected. It appeared first among the crews of vessels afloat in the river, in Southwark, and districts in the immediate neighbourhood of the Thames. By the 20th of February, forty cases had occurred on the river, and in Lambeth, Southwark, Limehouse, Rotherhithe, and Ratcliffe, of which twenty-one more than one-half had terminated fatally. Other districts of the capital and its environs were speedily affected, and the rate of mortality in proportion to the number of cases, continued nearly the same. So soon as the presence of the disease was positively ascertained, bills were brought in, and hurried through both houses, giving the privy council large powers to make regulations for meeting the danger. A central board of health was established in London. The privy council was empowered to establish them in all parts of the kingdom, and direct the formation of hospitals for the reception of the sick. The expenses were to be defrayed by assessments levied on the towns, parishes, or counties, to which they were applied. Notwithstanding, however, all these precautions, the malady soon spread itself over the whole kingdom, and speedily included in its sphere the squalid population of Ireland. But every where it was much less fatal than preconceived notions had antici-

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pated. The alarm was infinitely greater than the danger ; and when the disease gradually disappeared in the course of the autumn, almost every one was surprised that so much apprehension had been entertained. The number of cases in the United Kingdom was smaller out of all proportion than those which occurred in Paris alone. The precautions adopted, and adopted in vain, by France and Holland, exposed the foreign intercourse of the country to some inconvenience : but the internal communications were never inter-

rupted. The cholera left medical men as it had found them—confirmed in most opposite opinions, or in total ignorance as to its nature, its cure, and the causes of its origin, if endemic,—or the mode of transmission, if it were infectious. In Great Britain, as elsewhere, it fixed its residence among the most needy and squalid classes of the community. There were instances of its attacking persons of a different kind ; but they were too few to affect the general law which it seemed to follow, and could often be traced to particular causes.

## CHAP. X.

**FRANCE.**—*The Civil List—Tumult in the Chamber of Deputies—Discussions on the Royal Domains, and on the Grants to the Royal Family—Bill to abolish the observance of the Anniversary of the death of Louis XVI. rejected by the Peers—State of the Press, and Prosecutions for Seditious Libels—Intended Insurrections detected in Paris—Disturbances at Grenoble—Movements of the Carlists in La Vendée—Ravages of the Cholera—The Chambers suddenly prorogued—Ministerial changes consequent on the illness of M. Perier—Death of M. Perier—Manifesto of the Opposition—Carlist Insurrection at Marseilles—The Duchess de Berri arrives in La Vendée—Preparations for a general rising—La Vendée, and three other departments placed under Martial Law—Formidable Insurrection in Paris—Measures adopted on its Suppression—Paris placed under Martial Law, and Courts Martial established for the trial of the Rioters—Proceedings of the Courts Martial—The establishment of Martial Law declared illegal, and the sentences of the Courts Martial reversed by the Court of Cassation—Prosecutions before the ordinary Courts—Construction of a new Ministry under Marshal Soult as Prime Minister—The Insurrection in La Vendée fails—Apprehension of the Duchess de Berri—Trial and Acquittal of M. Berryer for adhering to the duchess—The Chambers meet—Large majority in favour of Ministers—Debates on the Address—Amendments censuring Ministers for establishing Military Law in Paris rejected.*

**A**MONG the arrangements which the French legislative body had been occupied in fixing since July, 1830, in order to create "a throne surrounded by republican institutions," the civil list of the republican monarch had hitherto remained unsettled. While the excitation of the revolution was still unabated, a demand upon the people for money, by an enormously wealthy individual who had just received a crown, would have been dangerous to the popularity of the new sovereign; and the moment of democratic triumph was not that which promised much

liberality towards a king. Neither the throne, nor he who filled it, had been becoming more popular. The republicans, instead of being tranquil or suppressed, had made a sport of the public peace of the capital; and the various ministries, which rapidly succeeded each other, had been too prudent, or too apprehensive of the clamours by which they were assailed, to carry through a legislative provision for the support of an executive whose existence was already openly and vigorously attacked. Lafitte had been prepared to bring forward a bill, but his short reign came to

an end before the proposition had been made. M. Perier now found himself strong enough to take up the subject, and it formed the principal occupation of the chambers in the beginning of the year.

The very outset of the discussion was distinguished by a scene, which could have occurred only in a body of French legislators, and which showed in a light altogether ridiculous, by how slight a thread even the parliamentary opposition, while they disclaimed in words all approaches to republicanism, were attached to the monarchy which they had created. During what is called, in the French chambers, the general discussion of the bill, M. Montalivet, the Minister of Public Instruction, roused the wrath of the opposition, by saying, that a republican civil list was no more to be desired than republican institutions, and by inveighing against the disguised enemies of monarchy who sought to destroy by degrading it—who would convert a king into a president, and the throne into an armed-chair. “The king,” continued the minister, “must be enabled to protect the arts, and relieve the distressed. Luxury, one of the elements of the prosperity of civilized nations, must not be driven from the habitation of the king of the French, or it will soon be banished from those of his subjects.” No sooner was the last word pronounced, than all the sections of the opposition rose *en masse* to protest, amid clamour and disorder which rendered the president powerless, against the insult supposed to be inflicted on all Frenchmen by the insinuation that they were the *subjects* of any power, and above all of their own king. The hall resounded with angry cries of

“There are no subjects in France since the revolution of July—go to Spain and be subjects.—It is an insult to the nation.—We invoke the charter.—We are all citizens.—It was we who made the king.—We will never be subjects.—It was Charles X. who had subjects.”—Some members suggested that M. Montalivet should be allowed to explain the sense in which he had used the obnoxious term, but this proposition was received with loud cries of “It is not to be explained—it must be retracted,”—and with angry demands on the President to call the minister to order. The President declared, he did not conceive the term had been used in any sense inconsistent with the charter, and therefore he could not interfere. The opposition continued their shouts and clamours, adding the dignified and energetic remonstrance of violently beating with their hands on the desks before them. The more tranquil portion of the chamber called on the President to suspend the sitting. He threatened to do so, and an opposition-deputy immediately called out to him “Put on your hat, then, since you will not do your duty.” M. Montalivet, who, in the mean time, had remained silent in possession of the tribune, again attempted to speak, when a band of his antagonists rushed from their places to the foot of the tribune, as if about to offer personal violence, bawling, till the hall echoed again, “Retract! Retract! Not a syllable till you have retracted!” The President left the chair. In a short time he re-opened the sitting, in the hope that a comparative calm might now be restored, and M. Montalivet was allowed to say, “All Frenchmen are upon an

equality amongst each other—all are equal in the eye of the law. The king, however, is raised high above the rest of the nation. In relation to him, all Frenchmen are inferiors, and in this sense may be called subjects." It was in vain. The clamour was renewed. "Retract! Retract!" was again bel-  
lowed in the orator's ears; "'subjects' is not a word of the charter—all subjects were buried under the barricades of July." Even Lafitte, a man who had been prime minister, joined the outcry, saying, "It is an absolute counter-revolution." The President rung his bell to no purpose. He declared it to be evident that a feeble party in the chamber was preventing the majority from continuing the discussion. He again threatened finally to close the sitting; and some degree of tranquillity was at last restored only by the most violent of the disturbers leaving the hall in a body, exclaiming, as they retired, "let the subjects remain." The same disgraceful scene was renewed on the following day, on a motion that the word "subjects" should be struck out of the minutes. The debate, if tumultuous clamour can be called a debate, was terminated only by a tumultuous division which carried the order of the day, amid cries from the opposition of "This is revolting partiality—it is brutal force, aye a frightful despotism." M. Perier told his opponents that their expressions were worthy only of the Convention. They replied that he still seemed to think himself a minister of Charles X; and Lafitte, who appeared still to be smarting under the disappointment of his hopes of gaining the chair, inveighed against the President as unfairly violating the rules

of the chamber, to serve the ends of ministers, to whose intrigues he owed his elevation. The most ridiculous part of the occurrence was, that, while these fellow-citizens of a king who had no subjects, were so furiously denouncing the word as unworthy of freemen, and more particularly of French freemen, M. Barthe, the keeper of the seals, produced, and read, amid shouts of laughter, the address, signed by these very men, in which they had tendered the crown to Louis Philippe, and which concluded "We are, with profound respect, your majesty's most obedient servants and faithful subjects."\*

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\* The Opposition thought it worth while to perpetuate this exhibition of their calm and sober views, and statesman-like habits of inquiry and discussion, by giving to the public the following "Protest," which was signed by 133 deputies.

PROTEST OF THE DEPUTIES OF FRANCE,  
*Against the use of the words "Subjects"  
and "King of France" by the Ministers  
of Louis Philip.*

The members of the Chamber of Deputies, who assisted with grief at the sittings of the 4th and 5th of January, 1832, in which the ministers of the king reproduced and endeavoured to justify the double expression of "king of France" and of "subjects of the king," attested by the *Moniteur*—expressions which were struck out from our charter of 1830 as irreconcilable with the principle of the national sovereignty—owe to themselves and to their country, to protest solemnly against those expressions, which tend to alter the new public French right. The president of the Chamber not having put to the vote the suppression of these words in the *procès verbal*, and the Chamber not having therefore voted relative to this suppression, which would tend to give a legal and parliamentary character to the present protest, the undersigned have recourse to the only way left open to them, that of publishing their sentiments, and hereby protest, in the presence of France, against the ex-

In fixing the civil list, the chamber had two matters to deal with—the royal domains, which had hitherto been appendages of the crown, and the money-grant of an annual allowance. In regard to the former, or, as it was styled, the real dotation, the bill introduced by ministers proposed that it should consist of the Louvre, the Tuilleries, with their dependencies, the Elysée Bourbon, the chateaux, houses, buildings, manufactories, lands, meadows, farms, woods, and forests, composing the domains of Versailles, Marly, Saint Cloud, Meudon, Saint Germain-en-Laye, Rambouillet, Compiègne, Fontainebleau. Strasbourg, Bordeaux, Pau, and others, described in the law of the 1st of June, 1791, the Senatorial Ordinance, of the 30th of January, 1810, the 1st of May, 1812, and the 14th of April, 1813, and by the laws of the 8th of November, 1814, the 15th of January, 1815, and the various other laws relating to the acquisition and exchanges of the Royal estates. The opposition attempted to strike out the Louvre from the list, by moving that it, and its collections, should remain the property of the state, and be placed under the administration of the minister of the Interior; contending that the government, being under the inspection and control of the chamber, was much better fitted to take the direction of matters like these. On the other hand ministers maintained, that public works, conducted under the direction of the civil list, had always been better and more rapidly executed than those which were

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pressions of which the ministers have made use, and against all the consequences which may hereafter be drawn from them.

under the management of government; and the minister of commerce stated, in regard to the fine arts, that several valuable collections had been lost to the nation, in consequence of the civil list not being voted, and government not daring to take upon itself the responsibility of purchasing them. The amendment was rejected by a considerable majority, as was likewise another which went to separate the domain of Versailles from the Chateau. On the question, however, that Rambouillet should still remain with the crown, the ministry were left in a minority of eight; and that domain was declared to be applicable to the purposes of the state. The Chateau, though not the domain of St. Germain-en-Laye, and those of Strasbourg and Bordeaux, were likewise taken from the crown. All the other real property of the crown was to be employed or sold for public purposes. In Paris it amounted, according to the articles which ministers had stated as proper to be included, to nearly four millions of francs, or about £152,000; but the chamber added various other items, which raised the estimated value to £244,000. In the departments, again, the real property so to be disposed of was valued at something more than nine millions and a half of francs; making the whole amount of property declared to be applicable to the uses of the state, about £626,000. More than one half of this sum consisted of the Hotel of the Body-Guards at St. Cloud, and the post office, and town-library, with a number of other buildings, woods, and lands, at Versailles. It was moved, that all the properties thus reserved to the state should be sold, and the proceeds applied

to form, in every department, an agricultural asylum for the invalid poor: but the motion did not find a seconder.

The money-grant for the civil list was fixed at twelve millions of francs per annum, or £480,000, a smaller sum than the ministry had wished, though they did not think it prudent to contest the point. The committee on the bill was equally divided between fourteen millions, and twelve millions and a half. Lafitte, in the beginning of the preceding year had intended to propose eighteen millions. The king, moreover, since his accession on 7th August 1830, had been drawing a civil list at the rate of eighteen millions per annum. Part of the chamber proposed that the present law should be held to have come into operation at that date, and that the king should repay to the treasury the difference between the two sums. This very extravagant proposition was successfully opposed on the ground of its manifest unreasonableness and injustice; the more especially as the chamber itself, in two different provisional finance laws, passed during the interval, had stated the expences of the civil list at eighteen millions. Hitherto, on a French prince succeeding to the crown, the whole of his private fortune became the property of the state. The principle was recognized in the present bill as amended by the committee, while it made an exception in favour of the property possessed by the present king on his accession, which was to be allowed to continue his private estate, with a declaration that the exception should in no manner affect the general principle. Several members, however, attacked the princi-

ple itself, as being originally founded on obsolete relations arising out of the feudal system, and being both unjust, and inconsistent with the present state and feelings of society. They argued, too, that it was injurious rather than beneficial to the state, since the fear of private property devolving on the nation would induce heirs of the crown (as in the case of the late Dauphin) to invest their funds in foreign countries. Accordingly, an amendment declaring, that all property which a king might possess on coming to the throne, or might personally acquire during his reign, should be and continue his private domain and estate, being supported by government, was carried by a great majority. The allowance of the Prince Royal was fixed at a million of francs, or £40,000, till his marriage, and at twice as much after that period. A motion to reduce it by one half was lost by a minority of only six. The allowances to the younger sons, and to daughters were to be regulated by special laws, "in the event of their private fortunes being insufficient."

In December of the preceding year, the Chamber of Deputies had so far yielded to the party of the movement, as to pass a bill abolishing all the solemnities by which, in virtue of a law enacted in 1816, the 21st of January, the day of the murder of Louis XVI., had been annually celebrated. The Peers, having first delayed the consideration of the measure till the 21st of January was past, adopted a middle course between either an entire adoption, or an entire rejection of the bill. The majority contended, that the total abrogation of the law for celebrating that anniversary would be



an insult to the kingly dignity, and would be nothing less than a declaration, that, because Charles X. had been deposed in 1830, the putting of Louis XVI. to death forty years before, was justifiable. They, therefore, amended the bill, by enacting that, on the 21st of January, the courts and tribunals should continue not to sit, but that all the other provisions of the act of 1816, which directed religious ceremonies to be performed, should be repealed. When the bill thus amended returned to the deputies, the latter refused to agree to the amendments, and sent it back to the peers in its original form. Ministers used all their influence to procure its adoption; but the upper house refused to yield, and now voted the rejection of the bill altogether by 78 voices against 56.

The government continued to be daily attacked by the periodical publications both of the avowed lovers of a republic, and of the adherents of the exiled family. In its turn, again, the government did not shew any disposition to treat these publications with much lenity; it pursued them with incessant prosecutions, though acquittals were much more abundant than convictions; and it thus supplied new materials of discontent and invective to the whole generation of libellers. The journals in the interest of the Bourbons openly attacked the legality of the government, and the title of the king, supporting the cause and encouraging the hopes of the partisans of Henry V. The republican press was still more violent, and infinitely more dangerous, because, in the capital, at least, there was a much greater mass to whom its opinions and incentives were likely to be agreeable. Its

conductors did not hesitate to propagate any calumnies against power, however improbable, or to provoke the commission of excesses, however dangerous. After the approved example of all who labour in that vocation, they went on imputing designs and actions which never existed, in the hope that frequent repetition would produce belief. Like all political agitators, they sought to overthrow what they attacked by loading it with false accusations. They assured the Parisians that the king was in treaty with the exiled monarch to restore to him his crown. At another time, he was forming an alliance with foreign despots to crush the rising liberties of "young France." They openly preached the necessity of establishing a republic, and the impossibility of enjoying or securing freedom, until their hereditary sovereign was converted into a responsible president. On their trials, they spoke with the same insolence with which they wrote at their desks. Their partisans crowded the courts, threatened the judges, and endeavoured to intimidate the juries. M. Perrier stated in the chamber of deputies, that the jurors of Paris, even before entering the court, were acted on by menacing letters. Some members of a society called "The Friends of the People," instituted for the avowed purpose of promoting the cause of a republic, were brought to trial for publishing seditious libels. In their defence, they openly maintained their revolutionary doctrines; treated the king with scorn and derision; inveighed against the existing institutions of the country; entered into brutal and furious altercations with the prosecutor; and insulted the judges. They had filled the

court with their friends, who applauded all their violence and abuse. The jury acquitted them; but the president of the court condemned some of them to imprisonment for fifteen months, others for a year, and others for six months, on account of their outrageous contumacy and seditious language during their trial. The prosecution of the secretary of the society was more successful. His defence was as violent as that of the others. He eulogized "Robespierre and great men like him." Though every species of intimidation, by public threats and anonymous letters, had been addressed to the jury, he was found guilty, and sentenced to a fine and imprisonment. His associates, on quitting the court, uttered loud threats against the jury and judges, which were all to be carried into effect on the establishment of the anticipated republic. Sometimes the editors of journals of the most opposite principles were placed at the bar for the same offence, for the Carlists, as they were called,—the adherents, that is, of the exiled family,—agreed with the republicans, that Louis Philippe had no title, and that the existing dynasty ought to be dismissed, though they differed from them immensely as to what ought to replace it. It was the policy of ministers to hold out both parties to odium as engaged in a common plot for the destruction of public tranquillity, and as sufficiently unprincipled to make common cause with their bitterest enemies, to gain the chance of overturning the system of legal government which France had adopted. The editors of the Revolution, a republican journal, and of the Gazette de France, and the Courier de

l'Europe, two Carlist journals, were tried together for an article which had appeared in the first, and had been copied, with comments, into the other two, setting forth that the present king had broken the promises which accompanied his accession, and that only the son of Napoleon could give republican institutions to France. The two Royalist journals had concurred in all of the article that was directed against Louis Philippe, though they did not agree in the benefits expected from the reign of Napoleon II. All the three culprits were convicted, and sentenced to three months' imprisonment, and fines of £120 each. In January of the present year, the Tribune, certainly one of the most violent of all the revolutionary journals, had reached its thirty-third prosecution, and three of its editors were suffering imprisonment for different periods. The Caricature had been prosecuted twenty times. Ten or twelve other journals had all been brought before the courts, more or less frequently, for different and even contradictory opinions. But the prosecutions seemed to produce rage and exasperation rather than amendment; and these feelings were augmented by the government having latterly had recourse to the measure of arresting the editors before trial. This proceeding was strongly attacked in the chamber of deputies, as being one inconsistent with the spirit of the new order of things, and one which the present keeper of the seals (M. Barthe) had himself strongly denounced, when it was practised by the former dy  
M. Barthe defended the process both in law and justice. shewed that the law of 1819, relating the press, empowered

government to keep the alleged libeller in custody till trial, unless he found bail to appear when called on. These precautions had been used only in extreme cases, which justified the severity. A press had sprung up, which openly avowed its hostility to the form and principle of the government, attacked it with unmeasured violence, and gloried in the disaffection which it created. One journal had declared, that the king intended to abdicate; it gave pretended discussions on that topic in the council of state. It was prosecuted; but it continued its seditious fabrications; and, being again prosecuted, the rigour of the law was employed in demanding bail. The opposition, again, maintained, that this was an abuse of the law; for the law was never intended to be used as a preventive against a second offence, but merely to secure the appearance of the accused to take his trial.

The excitement, kept alive by these prosecutions and discussions, was increased by the discovery, or pretended discovery, of plots, or alleged plots, and conspiracies to overturn the government. These, too, were represented as being the joint work of Royalists and Republicans. In the beginning of January, the ministerial journals put forth accounts of a conspiracy which was to have been carried into execution on the 4th of that month. The conspirators were said to be acting under the directions of the exiled family—to have a regularly organized committee of management—to be formed into divisions and brigades. It was stated that they assumed the disguise of republicans, and thus procured the assistance of various persons belonging to that party,

ignorant that they were serving the purposes of their most determined enemies. The leaders, however, had been seized, when the plot was on the point of breaking out, and it made no actual appearance before the public. It was speedily succeeded by another, which was likewise ascribed to the Carlists, and was allowed to go on to the very eve of its execution. A number of agents of that party were said to have been employed for some time in hiring recruits, and providing arms, by whose means they might excite simultaneous insurrections in different parts of the city. The night of the 1st of February was selected for the attempt. In the course of that evening, the conspirators posted their different parties, and the ringleaders assembled in a coffee-house, in arms, to regale themselves with a supper before opening their rebellion. There was a ball that night at the Tuileries; the palace was to be attacked, and the King, it was said, was to be assassinated. That attack was to be the signal for operations commencing at the Place de Bastille, the Observatory, and the Champs Elysées. The police had traced out the plot, and were prepared to meet it. Having ascertained that the chiefs of the party were assembled at their entertainment, the commander of the Municipal Guards surrounded the house with a detachment of his men, and a body of *Sergens de Ville*, and sent in one of the latter to summon them to surrender. The conspirators flew to their arms, and the sergeant received a pistol shot. The Guards then rushed in, and after a short struggle, in which one of the insurgents was wounded, and one of them

killed, the whole body were made prisoners. At the same time equally successful attacks were made on the conspirators at the Observatory and the Place de la Bastille. They made no regular resistance, and the greater part of them remained prisoners. A strong body of officers had been planted on the Pont Neuf to prevent the escape of those who might seek refuge on the other side of the Seine. This body apprehended about fifty persons, the greater number of them armed, and some of them provided with lint and linen, as if for dressing wounds. A considerable quantity of arms and ammunition was seized, and the conspirators were found not to be altogether unprovided with money. Whether the plot was intended to favour the establishment of a republic, or the restoration of the Bourbons, was not clearly ascertained. The government was always fond of ascribing these enterprizes to the Carlists more directly than to the partisans of democracy; and it is possible that some of the former may have thought that any thing which removed, in the mean time, the existing dynasty, would, in the end, be favourable to their views. The arrested prisoners seemed to be of a very miscellaneous description. Among them were members of the society of The Friends of the People, the avowed apostles of the republic, young artists, and journeymen printers; and, on the other hand, some of them were described as ex-officers of the royal army, ex-cooks of the royal family, and privates of the former Swiss guard. The Count de Floirac, formerly a deputy and prefect of the Aisne, and the Baron de Riviere, of a family the

head of which had been raised to a dukedom by Charles X., were likewise put under arrest on a charge of attempting to enlist recruits. One of the coffee-house leaders was brought to trial, and condemned to ten years imprisonment.

This commotion in Paris was succeeded by one at Grenoble, which, although it did not arise from any organized political conspiracy, was another proof of the absence of regular and settled obedience to the constituted authorities. Some young maskers of Grenoble, taking advantage of the licence of the carnival, paraded the streets in disguises, intended to represent and caricature the king, the members of the cabinet, and some of the ministerial deputies. The prefect, highly indignant at this indecorous mimicry, prohibited a masked ball which was to have taken place, and at which he expected a repetition of the exhibition. The inhabitants became angry at this interference with their amusements; and when the procession was repeated on the following day, they accompanied it through the streets in great crowds, and with loud acclamations. The procession and its numerous attendants having gone out of the city to the esplanade before the walls, the gates were ordered to be shut. But the population outside was too numerous to be thus excluded. To their menaces and demands the gates were thrown open. They entered as rioters; they attacked the house of the prefect; and now cries of rebellion were heard. The national guard was called out, but declined to obey. Only one company entered; it was immediately overpowered; and the rest proceeded without opposition.

command of the garrison was made prisoner by the rioters, to be kept as a hostage that his troops should not act. The prefect, having escaped to the barracks, where a regiment of the line was stationed, called it out to suppress the tumult. The military were assailed with showers of stones and other missiles; they used the bayonet in self-defence, and some of the rioters were wounded, though none were killed. The commander of the troops, however, who was in the hands of the rioters, sent to them, at the desire of the latter, an order to leave the town. This order was obeyed, and the defenceless city was abandoned to the mob. Here, however, tumult and resistance terminated; for the disturbance had been the outbreking of momentary excitement, not the result of any organized scheme. Troops were marched upon the city, and were admitted without opposition. Even the expelled regiment was restored to its quarters, and the magistracy to its usual authority. The commander of the garrison was recalled; the national guards were disbanded. The opposition laid hold of the occurrence to make a violent attack on the ministry as governing only by mere military force, and using that force contrary to law—for here, it was said, the military had acted against an unarmed multitude, even without the indispensable legal formality of a *sommation*, or call to disperse. The ministers answered, that the military required no such formality, either in law or common sense, to justify what they had done. In so far as they had acted, they had acted, not merely to disperse a riotous and seditious mob, but, in self-defence, to repel a band of violent assaulters; and there was no law

which said, that a soldier, any more than another citizen, must submit to be struck and wounded without resistance. An order of the day was issued, in which the king announced his approval of the good temper, moderation, and discipline of the garrison, and ordered that testimonies of his satisfaction should be conferred on them.

Though it was doubtful how far the royalists, meaning by that term those who desired the restoration of the exiled family, were efficiently connected with the disturbances of the capital, to them alone were to be inscribed the commotions which were rapidly growing up in the department of La Vendée, and some of the neighbouring districts of the west. In these old abodes of French loyalty, the enemies of the government appeared and acted openly in arms. They traversed the country in bands, collecting money and weapons, thinking it no sin to plunder, among others, the collectors of the taxes of contributions which they held to be payable only to Henry V. They issued proclamations declaring that they did not recognize Louis Philippe as the lawful head of the state, and warning the people against paying taxes to his government. They exhorted, likewise, the young men who were liable to the conscription of the year not to join the army, and their advice did not pass unheeded, or their threats disregarded. Many of the young soldiery, partly from inclination, partly from apprehensions of violence, either refused to join, or, having joined, deserted. Having thus put themselves in a state of insecurity in relation to the government, they forthwith augmented the number of its enemies. As yet, however, these royalist



bands had not assumed an attitude that threatened danger to the general tranquillity of the kingdom. They appeared numerous rather from the multitude of points on which they showed themselves, than from their positive numbers. They did not seem to be under any general superintendence; no great name appeared among them. They were said, indeed, to be under the guidance of a directing committee at Paris, in which were to be found several distinguished peers; but of this statement no evidence was ever adduced. Their operations had the air of isolated predatory excursions, rather than of regular warfare. The government had marched a large army into the disturbed districts, but it was insufficient to repress the evil. The insurgents were too prudent to encounter them in the open field, though they sometimes attacked and defeated small detachments and out-posts. Favoured by the nature of the country, they continued their unexpected and desultory movements, formidable more from the state of public feeling which called them forth than from their own strength, but presenting a large supply of dangerous materials ready to be used whenever a favourable opportunity should occur. In the chambers, the ministry was urged to institute a rigorous local police — to deprive of their stipends many of the clergy who were said to pray publicly for Henry V, and to stop the pensions which several of the ancient Vendéans had received since 1815. Mr. Perier said, however, that although local disturbances existed as well in La Vendée as in other parts of the country, he was far from considering them as a civil war; neither

did he desire, in any case, by adopting rigorous measures of repression, to blow some slight sparks into a dangerous fire. As to the refusal of succour which the Vendéans of former times received from the public treasury, the government, however anxious it was for economy, could not wish to deprive those aged sufferers from the first revolution of their support in old age. The experience of the benefits of liberty, and the moral force of the government, would soon introduce tranquillity in La Vendée, and over the whole nation.

Amid these agitations, appeared a new source of alarm, which, for a time, threw all others into the shade. France had hitherto escaped the cholera. Advancing from the east, it had left Germany, Switzerland, and Italy untouched; they seemed to be bulwarks to France. In its progress along the shores of the north sea, it had suddenly stopt short at Hamburgh, and appeared next in Great Britain. France had immediately adopted precautionary measures regarding the intercourse with this country, and they were multiplied on the appearance of the disease in London in the month of February. On the 28th of March, however, it was positively ascertained that cases of cholera had occurred in Paris during the preceding day. For a few days, the disease was little noticed, and the police seemed inclined to conceal its existence; but its ravages soon became so frightful that concealment was impossible, and the capital was seized with one universal panic, from the highest ranks of society to lowest. The number of cases was about one third of the number of cases, a smaller proportion had frequently been



Britain, and in other parts of the continent; but the number of cases was so much greater, that the mortality rose to a very alarming amount. From the 27th of March till the 1st of April, the deaths had been ninety-eight, not quite twenty daily. On the 1st of April alone they were seventy-nine, and went on increasing at the following rate:—

April 2	...	...	...	...	168
3	...	...	...	...	212
4	...	...	...	...	242
5	...	...	...	...	351
6	...	...	...	...	416
7	...	...	...	...	582
8	...	...	...	...	769
9	...	...	...	...	861

This was the highest point of mortality which the disease reached. From the 9th of April it gradually fell off, with the exception of sometimes a temporary rise for a day. On the 10th of April the deaths were 848; on the 11th, 769; on the 12th, 768; on the 13th, they rose to 816; they fell, on the 14th, to 692; on the 15th, to 567; and on the 16th to 512. Up to the last of these dates, there had died in Paris alone, upwards of 8,700 persons; and before the end of the month the number was nearly doubled. From the capital, the disease spread rapidly to the large villages and small towns in the neighbourhood, following, at first, principally the course of the Seine. Then it started up in different places, scattered over great part of the country. By the middle of April, it had made its way into the departments of Aisne, Eure, Loiret, the North, Orne, Oise, Sarthe, and Yonne.

In Paris, as in Hungary, the populace took up the idea that the disease was inflicted on them by their water and wine being

poisoned. Under this impression they perpetrated the most atrocious murders; it required but the finger of any miscreant to point out an obnoxious individual. An old Jew, who carried a bottle of camphor as a preservative, was called a poisoner, while passing through the market place of the Innocents. The market-women and *poissardes* attacked him, and he fell dead beneath repeated stabs. At Vaugirard, a village close by Paris, two young men, being attacked by the mob on the same pretext, sought refuge in the house of the magistrate. They were forced out, and murdered in the street. At Paris, however, less than any where else, did the cholera maintain its character of choosing its victims among the squalid, the needy, and the dissolute. The panic, that reigned throughout the capital, was enormously increased by the number of persons, in the higher ranks, on whom the malady laid hold. Peers of France, members of the Chamber of Deputies, of the courts of justice, and of the diplomatic body, swelled the triumph of the pestilence. On the 6th of April, it struck down the prime-minister himself; and although he recovered from the first shock, the hand of death had been laid upon him too heavily to be removed.

Amid such alarms, and with the prime-minister upon his death-bed, it was in vain to think of carrying on the business of the chambers. The members had been hastily quitting Paris, and hurrying into their departments from the great scene of infection. Only 274 could be brought together at the final voting of the budget, the sole business which prevented government from terminating the session. As April advanced, a sufficient number could

not be collected to form a house. The opposition journals of the movement party were loud in their reproaches of the senators, whom they represented as thus abandoning their posts, and deserting their country, from paltry motives of personal security. "Deputies of France," said one of these instructors of the public, "return to your homes. Your own friends demand your presence: your political convictions are extinct. Give yourselves up to domestic cares. The mission of legislators was never intended for you. To others, who possess high hearts and firm souls, belongs the honour of filling the post which you have deserted. Your task is henceforth ended." But the honourable deputies were convinced that the cholera, which had already carried off several of their number, was more likely to end their task than the columns of the Tribune or the National. On the 21st of April, the peers having got through the money-bills before the house, the keeper of the seals, in the name of the king, declared the session to be closed.

The first cares of the ministry were now to be directed to their own internal arrangements. M. Sebastiani, the minister of the foreign department, had been withdrawn from business, by bad health, for a considerable time, and his portfolio had been held, in the mean time, by M. Perier. The home-secretary had been attacked by the cholera, and his department had been transferred *ad interim* to the minister of public instruction. M. Perier himself was now removed from business, by a similar cause. Thus there was only a fragment of a ministry. There was no prime minister; no foreign secretary; no home-secre-

tary, except as an adjunct to another department. On the 25th of April a cabinet council was held, at which the medical men in attendance on M. Perier were examined. They could only state that they had not lost all hope of his ultimate recovery, but that, at all events, some time would have to elapse before he could resume his official duties. The cabinet resolved to call in some new member of their party, and that the presidency of the council, which, in France, constitutes the premiership, should be allowed as yet to remain with the dying minister. Overtures were made to M. Dupin, one of the ablest and most useful supporters of government in the chamber of deputies; but M. Dupin, whether it was that he disliked the ministry without its proper head, or was himself aiming to become that head, declined to take office. The only changes that took place, therefore, were, that M. de Montalivet, whose proper department was that of public instruction, but who had held the portfolio of the home office since the illness of M. D'Argout, became exclusively minister of the interior. M. Girod de l'Ain, the president of the Chamber of Deputies, became minister of public instruction.

The still nominal head of the ministry did not long survive these partial changes. M. Casimir Perier expired on the 16th of May. His death, beyond all doubt, was a great loss to the cause of well-ordered freedom, and of public tranquillity in France. His political life had shown he was no lover of despotism in its modes; he had taken a distinguished part in establishing a new order of things.

equally an enemy to incessant inroads of popular violence, and to the exaggerated doctrines which would have carried war, in defence or furtherance of certain civil institutions, into every country of Europe. He faithfully supported the monarchy which the last revolution had raised up, though the scenes and feelings, amid which it was produced, rendered the task difficult. He fearlessly grappled with the spirit of republican encroachment and proselytism which threatened France, as well as her neighbours, with commotion. He disregarded the clamours of the noisy party which he repressed. He added to the efficiency of the law, as the great instrument of social order, and he sternly enforced it. If he sacrificed the hereditary peerage, it was a sacrifice of his own opinions to an overwhelming necessity which no minister could then have resisted. As a debater in the chambers, he had no superior; and he enjoyed the confidence of the great mass of ordinary and respectable citizens.

The death of the minister, at a time, too, when anxiety was excited by the prospect of a counter-revolution in the south and west, and by the belief that a member of the exiled family was to appear at its head, appeared to the opposition to furnish a favourable opportunity for making a grand attack on their antagonists. The chamber was closed; but they put forth a manifesto, called by them their 'Compte Rendu,' and addressed "To our constituents." In this document they told the people, that the revolution of July had produced two classes of public men—the one of whom treated it as only an incidental modification of

the restoration, and concluded that the men and principles of the restoration ought to be the men and principles of the new government; while the other regarded it as the definitive consummation of the principles and rights which had been proclaimed by the revolution of 1789. To the latter they themselves belonged—to the former, which they baptized the class of quasi-legitimacy, belonged the ministers. They then entered into a detailed examination of the measures of government since the accession of the existing ministry in March 1831, to show that all its proceedings and opinions had been directed to obstruct the due developement of the revolution. The doctrines which ministers had held in regard to the hereditary peerage were quoted as plain declarations against the principles of July. "To hear ministers," said the *Compte Rendu*, "nothing was more sacred than the privileges which existed previous to the revolution, and no society could be lasting without an hereditary peerage. This was the idea of the restoration. For ourselves, faithful to the principle of equality and of the sovereignty of the nation, we succeeded in causing the wish of the nation to prevail, and the hereditary peerage was abolished. We wished for more; we demanded that the legislative power, even in the other chamber, should be derived from the delegation of the sovereign, that is, of the nation. We did not wish that peers should have the right to style themselves more legitimate than the king." The civil list, too, was referred to as a proof that the ministry were, in principle and practice, backsliders towards the cause of legitimacy, while the opposition con-

sidered, in the true spirit of the revolution, that the new monarchy had other elements of strength and permanence than the display and corruption of old monarchies; and that, fortified by its popular origin, and the assent of the people, there could be no need for acting on the imagination by investing it with opulence and splendour. Even M. de Montalivet's use of the word "subjects" was gravely put forward as evidence of a disposition to go back to feudal relations. The laws, which the public voice demanded for the security of public liberty, had been kept back, or such of them as were extorted from ministers by the urgency of public opinion had been neutralized in the chamber by secret influence. Under the pretext of providing more effectually for the maintenance of order, measures had been adopted, whose only effect was, to render resistance more systematic in every part of the country. In foreign affairs, ministers had given way before hostile monarchs, had degraded France by speaking of the danger of offending foreign cabinets, and had compromised her safety by permitting the destruction of liberty where the dignified and determined voice of France could have saved it even without war. They were to rally round the throne every opinion; but they had caused fatal divisions among generous men, united by the love of liberty and a sense of their country being in danger. They were to consolidate the revolution, but they had removed its natural supports by the dissolution of the National Guards of the most warlike and faithful towns. They were to favour the liberty of the press which saved France, but they

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had fettered it by their prosecutions, ruined it by imposts and fines, and corrupted it by *amortissements*. They declared that they would cause legal order to prevail, and yet there was not a law, the application of which they had not perverted or falsified. They were to seek support only in the chambers, and yet they had stifled the free proposition of laws. They pledged themselves to afford internal security, and yet it had always been disturbed by commotions, violent conflicts between the people and the authorities, and the audacious and daily-increasing aggressions of the partisans of the fallen Government. They announced a general disarming, and yet they had involved the nation in a labyrinth of diplomatic intrigues so inextricable, that it was impossible even for them to assign an end to this state of anxiety which was neither war nor peace. "Finally" concluded the manifesto, "in what situation has the system of quasi-legitimacy left France? Abroad, is not the coalition of kings more menacing than ever? At home, is not civil war imminent? Are not the troops which skirt our frontiers, those plots and disturbances constantly renewed in the west and the south, sufficient to open the eyes of the government? Before it decides, will it wait until our departments are in a flame, our provinces invaded, and France so compromised, that she can be saved only by sacrificing both her sons and her treasures? We declare with painful and deep conviction, that, if this system be prolonged, the revolution of July and France will become a prey to their enemies. The restoration and the revolution

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are recommencing an old struggle which we thought was at an end. Let the government choose ; the equivocal position, in which it has placed itself, is not tenable. It gives it neither the strength of the restoration which is irreconcilable, nor that of the revolution, which has become irritated and distrustful. France of 1830, like that of 1789, thought that hereditary royalty with popular institutions had nothing incompatible with the principles of liberty ; let the government of July, therefore, confidently return to the conditions of its existence." This manifesto was concocted at meetings held at the house of M. Lafitte, and was signed by between 130 and 140 deputies.

In the mean time the apprehensions entertained from the movements of the royalists in the departments of the south and west were becoming more alarming. Accounts went abroad, that all was prepared for a general rising, and that the royalists only waited the arrival of the Duchess of Berri, who had resolved to throw herself into France to support the cause of her son, Henry V. This princess was known to have been, not long before, in some of the neighbouring ports of Italy. There did not seem to be much difficulty in her stealing ashore on some part of the southern coast, where the partisans of her family were numerous ; and although the appearance of the insurgents in La Vendée and the neighbouring departments had not hitherto been such as to alarm a strong government, supported by an army of 300,000 men, these appearances might change, when a royal princess consigned herself to the devotion and gallantry of her

adherents, fixed the dispositions of the wavering, and furnished a rallying point to the discontented. A premature movement at Marseilles put the government still more upon its guard. The civil and military authorities of that part received intelligence, on the evening of the 29th of April, that the Duchess of Berri was approaching, and that, during the coming night, the royalists intended to seize the town. The military were therefore kept in readiness, and every precaution was taken against the expected insurrection. The rumours of the approach of the Duchess were unfounded ; but on the following morning, the 30th April, the royalists rose ; an armed band marched to the church of St. Lawrence, and having forced admission into the steeple, hoisted on its pinnacle the white flag. On observing this signal, another body, stated in the official accounts to have consisted of between 2,000 and 3,000 men, issued from different parts of the town. While the greater portion of them took their way to the harbour, to hail the arrival of the expected steam-boat from Leghorn, which was to bring the princess, a detachment, apparently unprovided with fire arms, or with many arms of any kind, attacked the Palais de Justice. A body of troops of the line had been posted there, who, immediately using their bayonets, put the insurgents to flight, and made several of them prisoners. Another small body of troops dispersed with equal ease various suspicious groups which had assembled in the narrow streets of the old town. At a third point, the mob had succeeded in striking the tri-coloured flag, but were



scattered by the military before they could hoist their own. By noon the insurrection was at an end, without much trouble, and without any bloodshed.

This inefficient and absurd attempt only injured the cause which it was intended to serve. The government was now warned, that the appearance of the Duchess in person was an occurrence in actual contemplation. Instructions were immediately sent to observe all the points in La Vendée, on which the instigators of the attempt at Marseilles might appear; cruisers were established along the suspected parts of the coast of the Mediterranean, and domiciliary visits were not spared. In the beginning of May, the *Sphynx*, one of these cruisers, gave chase to a vessel coming from Italy, which seemed to be making for Marseilles. The Italian was at length boarded. She was a Sardinian vessel, called the *Carlo Alberto*. Some ladies were found in her. One of them seems to have been pawned off on the captain of the *Sphynx*, as being the Duchess; but it turned out to be only her waiting maid. The Duchess herself was not there, whatever had become of her. It was some days before the mistake was discovered, and it had not been discovered long, before reports began to spread, which turned out to be correct, that the Duchess was safe in La Vendée. It afterwards appeared that her royal highness had actually been brought to France in this vessel, but had landed, along with Marshal Bourmont, in the bay of Ciotat, between Marseilles and Toulon, before the French vessel came up, and without being noticed by its crew. She and the Marshal had then made their way

undiscovered across the country, into Vendée. On board the *Carlo Alberto* were found a son of Marshal Bourmont, M. de St. Priest, the Count Kergorlay, and some other royalists. The royal Court of Aix, ordered them to be set at liberty, on the ground that they were sailing under a neutral flag; but the Court of Cassation reversed this judgment, holding that neutrality was gone by the vessel having been employed in furtherance of a conspiracy against France, and having actually landed on the French soil the two leaders of the plot.

The presence of the Duchess in the disturbed districts being ascertained, searches and examinations were multiplied; and on the 30th of May, there were found in the house of an old Vendean, papers which proved that she had been in Vendée since the 18th, as well as other communications which had passed among her friends. The former were signed by herself "Mary Caroline, Regent of France;" the latter had fictitious signatures, and many of them were in cypher. These papers showed that some of her friends had dissuaded her from appearing, as they considered the attempt, which she was about to make, to be premature. They had stated the perfect willingness of the department to rise, but urged the want of arms and ammunition, and the absence of any prospect of foreign assistance. "It is with a perfect knowledge of our position we have charged the emissaries sent by Madame, to beg her to order us to take up arms in the cause of Henry V., only when the first shot shall have been fired on the frontiers by the European armies; or in case of complete anarchy in Paris,



by the annihilation of Philip and his family, or by the proclamation of the republic—events which may perhaps take place this winter, occasioned by the despair of the working classes. Every thing induces us to believe, that, in order to succeed, we must be patient and prudent, and, above all, not compromise ourselves more and more by orders unadvisedly given, which must be afterwards retracted, and which, having been given us several times, have occasioned all the persecutions to which we are exposed, and have more than any thing else contributed to the loss of ammunition which we have experienced.” The princess had fixed the rising for the 24th of May, and she appeared to have insisted in vain on its being carried into execution. What seemed to be her answer to the preceding communication bore, that its contents had given her great uneasiness. “Think of what your dispatches contained. It was those which made me decide to confide myself, as a sacred duty, to the loyalty evinced in the provinces. If I had given the order to take arms the 24th of this month, it would, I am sure, have met with your participation, and it would have been in accordance with the feelings of the south, as well as several other parts of France. I should consider my cause as lost for ever, if I were obliged to fly this country; and I shall naturally be taken, if arms are not immediately resorted to. I should then have no other resource than, far from France, to regret my having depended too much upon the promises of those for whom I had braved every danger in order to fulfil my own. The orders to take up arms on the 24th of this

month, which were distributed throughout France, still remain to be complied with in the west. It now remains for me, Sir, to call your attention to the state of the army, as on that will depend our success. It is, therefore a duty to employ every possible means for its organization. You will take care to distribute, two days in advance, my proclamations and ordinances. Do not go to any extremes with the army, until after having tried every means of conciliation. These are my positive wishes. I beseech you get this letter conveyed, as soon as possible, to those who signed that which you sent to me.” Some other papers, bearing to be “orders of the Vendean army,” showed that instructions had been issued for the general rising on the 24th, that they had been countermanded, and that the change of purpose had excited great discontent among some of the subordinate and less prudent agents. The intended movement, however, could not be altogether repressed. A greater degree of activity than usual began to be displayed among the royalists; they came forward in larger bodies, but still without any force which could enable them successfully to combat the troops which the government kept pouring in, and among which they found no adherents. Immediately on ascertaining the presence of the Duchess of Berri, a royal ordinance appeared on the 3rd of June, placing under martial law the departments of Maine and Loire, La Vendée, the Loire Inferieure, and Deux Sevres.

This ordinance, however, had scarcely been signed, when it became necessary, in consequence of an insurrection which nearly re-

newed the days of July 1830, to place the capital itself under the despotic rule of military law. The 5th of June had been set apart for the funeral obsequies of General Lamarque. The General had been one of the fortunate military followers of Napoleon, and therefore a persecutor of every thing like liberty, whether in France or abroad. On the downfall of his idol, he took up, like many others of the same class, the trade of liberal. Since the revolution of July, he had been a leader, and a very exaggerated leader, of the movement; one of its deities in the journals, and one of its most violent organs in the chamber. It was to be expected, therefore, that his funeral would be attended by all the unruly spirits in Paris; and measures had been taken by the military authorities, as well as the civil, to prevent disturbance. The general had expressed a wish to be buried in his native town of St. Sever; so that the arrangements for the funeral ceremony consisted of a procession from his residence in the rue St. Honoré to the point which might be fixed upon for pronouncing the funeral orations over his remains. The bridge of Austerlitz, which lay on the route to St. Sever, after passing the Place de la Bastille, was the point fixed on for these adieus. There a temporary chapel had been erected to receive the body, while the orators delivered in succession their funeral discourses. Ten o'clock in the morning was the hour which had been fixed upon for the departure of the procession from the rue St. Honoré. In consequence, however, of the number and variety of the classes of which it was to be composed, and the difficulty of marshalling

them in proper order, it was half past eleven before the body was placed on the car. The crowd was immense, and extremely miscellaneous. A military escort accompanied the military funeral, but seemed to be regarded by the mob as a restraint, rather than a mark of honour. The horses were taken from the car or hearse, which was dragged along by a noisy rabble, whose shouts betokened a Bacchanalian procession, rather than the silent ceremonial of the dead. On reaching the head of the rue de la Paix, the car was suddenly turned down that street in the direction of the Place Vendôme, for the purpose, it was pretended, of saluting the trophy of Lamarque's great idol. When it reached the hotel which forms the head-quarters of the staff of the garrison of Paris, in the Place Vendôme, as no orders had been issued on the subject, some hesitation was displayed before any military honours were paid to the body of the general as the procession passed. A violent clamour was instantly raised from among the crowd, the watch-word for which was regularly given by several individuals in the uniform of the National Guard, but who were subsequently suspected to have assumed that dress as a disguise. The first impulse of the officer in command at the Etat-major had been to call in the sentinels on duty, and cause the gates of the hotel to be shut; but finding that the car had halted, and that a riot was likely to arise, he ordered out the whole of the post in the guard-house, the drums beat a salute, and the detachment presented arms. When the car halted in front of the hotel of the Etat-major, a number of the rabble engaged in

drawing it had mounted on the wheels, and in the car itself, for the purpose of obtaining a better view of what was passing at the gate of the hotel. A *sergent-de-ville*, having expostulated with the men on this impropriety, laid his hands on one of them, to pull him down from the car, but was immediately assailed, on all sides, with the most violent abuse, and, on persisting in his purpose, received a sabre wound on the forehead, which laid open his face and drenched his whole person in blood. The procession then proceeded to the Place de la Bastille, where had been prepared the catafalque for the reception of the body, and the rostrum which had been raised for the use of those who were to deliver the funeral orations. Of these the most violent and inflammatory was that of M. Mauguin, who converted the solemnity of the day into an engine of attack against the ministers. General Lafayette, seeing perhaps the approaching storm, strongly counselled the people to separate quietly, and return to their several homes, pointing out to them how disgraceful it would be if a funeral ceremony were converted into a scene of violence and bloodshed. But while Lafayette was carried off in triumph by a party of his friends in one direction, a cry was raised by the crowd around the hearse, from which they had never suffered the body to be removed, of "To the Pantheon! To the Pantheon!"—a movement which would have led this excited mob through the most crowded part of the city. At the same time a red flag was displayed, bearing the inscription, "Liberty or Death." The municipal guards, however, successfully opposed this farther deviation.

A temporary dispersion took place, of which the authorities availed themselves to attach the horses to the car, and send it forth to its ulterior destination.

The mob soon rallied, in greater numbers, and with more determined fury. A body of cavalry had been brought up to the Place de la Bastille. The mob, among which muskets and pistols now became visible, fired on this body, wounding several of the men and horses. The cavalry then charged into the Square, from which it was several hours before the rabble could be completely expelled, by all the forces which were brought up for the purpose. Having made themselves masters of the open ground after a good deal of fighting, in which lives were lost on both sides, the troops proceeded by repeated charges, both of cavalry and infantry, to sweep the line of the Boulevards, and the wide street which forms the thoroughfare through the Faubourg St. Antoine. For this proceeding the insurgents appeared to be prepared; for a number of barricades had been formed across the narrow streets which open on the Boulevards, and on the wider thoroughfares. The first of the barricades were composed of omnibusses and waggons of all kinds, which were seized and overturned as they arrived; but by-and-by more formidable obstructions were raised in their rear by unpaving the streets, and filling the vehicles with the large stones. These operations were conducted under the superintendence of a number of pupils of the Polytechnic School. While they proceeded with their fortifications, they attacked, disarmed, or routed, the isolated military posts in their neighbourhood. The troops were

compelled to fall back. The Generale was beat. The National Guard was called out. Additional men and artillery were ordered in from the neighbourhood; and an express was sent to St. Cloud for the king, who seemed about to be deprived of his crown; by events similar to those which had conferred it.

During the temporary retirement of the troops from immediate conflict to concentrate their force, and arrange their movements, the insurgents were busily occupied in pushing forward and strengthening their positions on both banks of the Seine. At one of the barracks they obtained some guns; they got possession of a powder magazine. They had driven the municipal cavalry from the bridge of Austerlitz, thus keeping open their communications between both sides of the river. In the interior of the city, they had advanced as far as the Place des Victoires, threatening the Bank and Post-office. All the principal avenues by which they could be approached were strongly barricaded. At length, about three o'clock in the morning of the 6th, the troops attacked the positions of the insurgents on various points at once. They were opposed with great determination, and the firing, for four or five hours continued heavy and incessant. Artillery, however, being brought to bear on the most troublesome barricades, the insurgents were put to flight in all directions. By mid-day, the king was enabled to ride through the streets, to assure the royal population of his safety, and encourage their confidence. By the afternoon, the capital was no longer the scene of open war, but its streets were flowing with blood,

and it presented the appearance of a town taken by storm. The loss of life was never accurately stated, but the official returns of the regiments of the line alone gave three hundred killed and wounded. The municipal and National Guards, too, suffered severely; and, on the side of the insurgents, the loss was not estimated to be below that of the populace in July 1830.

The origin of the revolt clearly lay with the republican party; and, according to the official reports, it had been expected. The Government functionaries, indeed, and the ministerial journals, made it, according to custom, the joint work of the royalists and the republicans—of the latter in the pay of the former; but neither during its progress, nor in the course of the trials which followed, did any thing appear to support this idea. Its success would no doubt have been a great chance gained for the royalists; but that alone will not make out that they either were concerned in the concoction of the plot, or bore a share in its actual execution. During the struggle, many of the insurgents appeared in the uniform of the National Guard. These were said to be disguises assumed for the purpose of misleading the populace, and perhaps seducing the guards. The National Guards, as a body, with the exception of the artillery, remained true to their duty. The insurrection was followed by numerous arrests, among which were those of several suspected royalists, and some of them of high rank, against none of whom any thing was ever made out. The great mass were men of the days of July; and they were less successful now than they had been then, because the military

were more faithful, and the military means directed with greater skill and energy. The Polytechnic School, to whose pupils the Chambers had voted thanks for their conduct during the former revolution, was now closed by a royal ordinance, and the scholars disbanded. On its re-establishment, all the most guilty were expelled. The Veterinary School of Alfort shared the same fate; and one of the mayors of Paris was deprived of his office. The coldness, which the artillery of the National Guards had displayed in opposing the insurgents, was punished by that body being dissolved.

It may be doubtful how far these measures would have been ventured on, or how long the public repose would have continued, if, in the first moments of rage and excitation, so many elements as now existed for inflaming a heated populace, had been left to be dealt with by the democratic journals as they thought fit. The ministers, not satisfied with the triumph of their arms, determined to render it secure. The insurrection had been suppressed on the 6th; in the course of that day, the king had walked through the streets of the capital, and was greeted every where with acclamations of loyalty. On the morning of the 7th, he greeted his subjects, with an ordinance, signed on the 6th, declaring Paris in a state of siege, and establishing martial law. The motives for this measure were thus set forth by the minister of the Interior in his report to the King. "When our generous citizens rival our brave soldiers in zeal and intrepidity, that Government would be guilty, which did not use all its power to protect

effectually their property, their industry, their families, and their persons villainously assassinated from the windows of that city whose prosperity is the work of their own hands. This real force is not alone sufficient to suppress in all points the revolt. An all-powerful moral force must interfere, to quell the seditious spirit by active researches into those plots which have been organized by factious persons. I have the honour of proposing to your Majesty to declare Paris in a state of siege. It is not necessary, after the suppression of these troubles by an armed force, to assure the people of the exigency of this measure, which has been too generally desired to doubt its usefulness. The people have felt, that in the midst of that city where the revolution of July originated and triumphed, it behoves them to defend it with the greatest energy against the efforts of those factious persons who wish to deprive us of it, or to substitute another, dangerous and tempestuous. The future must be secured, as the present has been maintained, and for that it is necessary to disregard the laws, that the unhappy situation may not be prolonged. This will be for Paris, the object and the effect of being put in a state of siege; public authority will be rendered more active, without interfering with any thing which does not concern the preparation or execution of this plot, with the ordinary jurisdiction, or with the habitual duties of the administration. In a word, it is the conspiracy which is to be put in a state of siege." The ministers found their authority for this proceeding in two old laws, one of the republic, and one of the empire.



The former would not have served their purpose, for it required, that the legislature, if not sitting, should be convoked, for the purpose of giving its sanction to any suspension of the laws. The decree of the Emperor Napoleon was accompanied with no such clog, and the opinion of Marshal Soult, the minister of war, that it should be adopted, prevailed. The Procureur-general maintained, that the declaration of martial law produced a difference in form only, and not in essence; that the tribunal only was changed; but that the new military commissions must be governed by the same laws, and must award the same measure of punishment to offenders, as the Courts of Assize after conviction by an ordinary jury. This reasoning was sanctioned and adopted at a solemn sitting of the Cour Royale, under the presidency of the Baron Seguier, at which upwards of forty of the judges attended. That court having declared its incompetency to deliberate as to any of the proceedings which had led to the insurrection assigned in the ordinance as the cause of declaring Paris in a state of siege, the whole population of Paris was put under military law. All offences connected with the late commotion were to be tried by courts-martial. The ordinance was extended even to what might be reckoned offences of the press, connected with these transactions. It went still farther. The ordinance establishing military law, was not published till the morning of the 7th. It was certain, that the democratic journals to be then published would contain very violent and dangerous matters touching the occurrences of the last two days. During the

night, the agents of the police entered the printing-offices, stopped the journals, and sealed up the presses. All this was to be covered by the ordinance, and martial law was to extend to all cases which had not come under the cognizance of the ordinary courts, previous to its promulgation. Thus, the press no longer existed. Warrants were issued against a number of editors, and even against some opposition members of the lower chamber; but most of these gentlemen, having no wish to be tried by military officers, concealed themselves till the powers of courts-martial should have come to an end. About thirty members of the bar of Paris, with M. Mauguin at their head, put forth an opinion, that the ordinance itself, proceeding solely on the authority of the executive power, was illegal; and that even supposing it to be legal, it could have no retro-active effect. If the latter was true, then it was useless for its main purpose, the trial of the insurgents.

Two courts-martial were immediately put in operation. A grocer, who bore a commission in the National Guards, was tried for firing from his windows upon the troops. He was acquitted, for it was not proved either that the shots came from his windows, or that he had fired them. The next was a baker, accused of a similar offence; on his interrogatory, he had manfully refused to answer any questions, as he considered the tribunal illegal. He too was acquitted, for nobody had seen him fire. The next prisoner, a young painter, named Geoffroy, was not so fortunate. It was proved against him, that the flag bearing "Liberty or Death," had been in his possession on the day of the insurrection;



and, what was much more serious, that, during the contest, he supplied the insurgents with ammunition. He was condemned to death. The same sentence was pronounced on a lodging-house-keeper, of the name of Colombat, who had both fired upon the troops, and worked at the barricades. A porter was found guilty of having attempted, by premeditation and ambuscade, to assassinate the soldiery, and was condemned to hard labour for twenty years. A member of an armed society, ostensibly framed for the purpose of guarding the frontiers against foreign invasion, being convicted of conspiracy without any overt act, was sentenced to ten years imprisonment. Among the persons tried was a female, accused of having supplied the rebels with ammunition. It turned out, that she had been supplying it to the National Guards, and had even given them warning, when the posts were about to be attacked. She was, therefore, acquitted.

On the 29th of June, the proceedings of these courts was suddenly terminated by a judgment of the Court of Cassation, the supreme tribunal of the country, that their very existence was illegal. All the prisoners convicted had appealed, on the ground that they had not been tried by a competent court. The question raised, therefore, was, whether the ordinance, declaring Paris in a state of siege, was, or was not, a positive violation of the constitution. The case of the painter, Geoffroy was first heard. M. Dupin, as Procureur-General of the Court of Cassation, was the proper person to defend the proceedings of the government; but, on the plea of indisposition, turned over to another this un-

pleasant duty. The appeal was supported by M. Odillon Barrot, one of the most distinguished members of the opposition. The court pronounced, that the ordinance, and the tribunals which it established, were illegal, and quashed all the sentences. *The Moniteur* of the following day contained a royal ordinance, declaring that the siege of Paris was raised, and the ordinary law of the country restored. The deputies who had absconded on learning that warrants had been issued for their apprehension, now came forward and tendered themselves for trial, and the prisons were relieved of the crowds with which they had overflowed. Some of the newspaper editors were subsequently brought to trial before the ordinary courts, for articles connected with the transactions of the 5th and 6th of June. The *Journal du Commerce* and the *Messenger des Chambres* were prosecuted for having stated, on the 6th of June, that the riots of the preceding evening had been occasioned by an unprovoked attack made by the dragoons on the populace; and having added to this statement seditious remarks. In both cases an acquittal was pronounced. *The National*, a much more violent and democratic journal, was proceeded against on a charge of having published seditious articles, "exciting the people to revolt, and followed by effect,"—the effect being, the insurrection of June. This case likewise terminated in an acquittal. *The Précurseur* of Lyons, the leading opposition paper of that city, had put forth a series of articles on the causes and consequences of the insurrection. On these articles was founded an ac-

cusation of exciting hatred and contempt against the king's government; of offending against the king's person; of instigating civil war; and of endeavouring to seduce citizens to take up arms against the army. On all of the charges, the jury pronounced a verdict of not guilty. In the end of the year a number of young men were tried before the Court of Assize for violating that article of the penal code, which declares, "that no association of more than twenty persons, meeting daily, or on certain fixed days, for purposes religious, literary, political, or otherwise, shall be formed, except with consent of government, and under such conditions as public authority may impose." All of them admitted the fact, but contended, that this provision could not possibly be admitted into the new order of things; and the jury acquitted them on the ground, that the law ought not to be executed.

After so signal a defeat, it was expected that ministers, convicted of having introduced arbitrary power contrary to law, would have resigned, or immediately convoked the Chambers. Their determination to avoid the former step rendered it impossible to adopt the latter. The opposition already spoke of impeachment as a necessary consequence of what had taken place. Ministers would have been provoking danger needlessly by meeting the Chambers, till violence had subsided by delay. Negotiations were again entered upon to bring M. Dupin into the ministry, and they again failed. That learned gentleman, it was stated, would be satisfied with nothing less than the presidency of the council, while Marshal Soult

threatened, in that event, to resign. The office was then tendered to Prince Talleyrand; but that wily politician preferred to remain in the more secure path of his own diplomacy. The ministry continued to linger on in its incomplete and provisional state, till the beginning of October, when the vacancies were filled up without the necessity of admitting principles different from those which had hitherto guided the cabinet; a result which it was not certain would have followed the accession of M. Dupin. Marshal Soult himself became president of the council and prime minister, retaining at the same time his office as minister of the war department. General Sebastiani was succeeded, as Foreign Secretary, by the Duke de Broglie. Baron Louis resigned the department of the finances, which was given to M. Humann; and M. Thiers became minister of Public Instruction, in place of Girod de l'Ain. The other members of the cabinet retained their offices—M. Montalivet as Minister of the Interior, M. Barthe as Keeper of the Seals, and Admiral Rigny at the head of the Naval Department. The construction of the new ministry was followed by a royal ordinance, creating fifty-nine new peers; and by a circular of the minister to the prefects of the departments, in which he stated, that the system of his policy would be that of his predecessor—the maintenance of monarchy and of the charter, order at home, and peace abroad. "In calling me to this office," said the marshal, "the king has perhaps considered some old services, and what I have had the honour to do for my country. But, above all, he has intended decided-

ly to declare, that the ministry would be jealous of the dignity of France, and no less devoted to its glory than its safety." These words, in the mouth of a first minister, who was likewise the first soldier, of France, and all whose honours had been gained on the field, might have been considered as hinting at rather warlike tendencies.

In the mean time, the civil war in the departments of the west was expiring of itself. We have mentioned that although the leading friends of the duchess de Berri had remonstrated against, and had countermanded, the intended rising on the 24th of May, as being premature and hopeless, and had stated their honest, and certainly sound opinion, that present circumstances rendered the insurrection unadvisable, her royal highness insisted that the design, which alone had brought her to France, should proceed. Accordingly, in the first days of June, and almost contemporaneously with the insurrection at Paris, the royalists shewed themselves in stronger bodies than usual, on both banks of the Loire, principally in the departments of Vendée, Deux Sevres, and Maine and Loire. They took possession of Chalonnes, a small town on the left bank of the Loire, not far from Angers, but did not long maintain their position. On the right bank, their head quarters were at Segre, a town to the north-west of Angers, on which last city they seemed inclined to advance. A slight engagement took place between a body of them, and a detachment of military, near Ancenis on the right bank of the Loire. The military were compelled to retire with some loss, but they only fell back

on more powerful bodies, and the royalists made no permanent progress. Proclamations, indeed, in the name of Henry V. and his mother as regent, were profusely scattered, and were posted up even in Nantes. In one of them the regent announced "Having landed in the South, I have not feared to traverse France, through the greatest dangers, to fulfil a sacred promise, and share the perils and fatigues of my brave friends. I am at last among this heroic people! Open to the prosperity of France, I put myself at your head; with men like you victory is certain. Henry V. calls upon you; his mother, the Regent of France, devotes herself to your happiness; one day Henry V. will be your companion in arms, should the enemy threaten our faithful country." Another, setting forth that "the fatal events of 1830," had prevented the army which conquered Algiers from receiving the rewards to which it was entitled, conferred upon its members promotions and decorations, and a gratification of three months pay. A third disbanded great part of the existing army, by ordering the soldiers of the classes of 1814, 1819, and 1820 to return to their homes, on the ground that the army was out of proportion with the resources of the state, and not required by the relation in which France stood to foreign powers. But there was no real force to support these documentary attacks. The rising had taken place, not only without the concurrence, but contrary to the remonstrances, of its most influential friends. Neither the towns, nor the national guards, could be brought to join in it; and the enterprise degenerated into a series of isolated and

insignificant attacks, made by small bodies in a strong country, and which gave their opponents the opportunity of representing their proceedings as being those of brigands, rather than of men in a state of open and regular war. The most distinguished leaders of the royalist party in Paris, disapproved entirely of the whole scheme. M. Berryer, an eminent advocate and deputy, who had been, and still was, the confidential counsel of Charles X. and his family, went from Paris to La Vendée on purpose to persuade the Duchess to give up her design, and to leave France. He carried with him a letter to her royal highness from Chateaubriand, enforcing the same views, and assuring her that no war, whether foreign, or civil, even if crowned with success, "could either subject or rally the discordant opinions of the country." The Duchess, however, continued immoveable.

Even after it was plain, that the enterprize, which could never be well said to have been begun, was at an end for all useful purposes, her royal highness seemed resolved to remain in the country, as if in love with the wandering and perilous life which she had to lead. Perhaps the government would have been well pleased to have avoided, by her escape, the embarrassment of knowing how to deal with her, if she were apprehended; but, even in that case, to shew great activity in effecting the latter object might be a means of accelerating her removal. The agents of the government and police were on the alert in all the districts in which it was supposed she might be found. So varied and complete, however, were her disguises, so faithful and vigilant

were her adherents, that for five months, she set at defiance all the activity of her pursuers. Domiciliary visits were made in all directions; the recesses of convents were rigorously examined. The caution observed by the royalists appeared strongly from the manner in which M. Berryer was conducted to her from Nantes. On his trial, that gentleman refused very properly to mention any names. He stated, however, that he had trusted to being able to procure a guide on his arrival at Nantes, and he did so. "I set out with my guide, who took me to a house, the inhabitants of which he no doubt well knew. He merely said, 'here is the person who is to be conducted.' A new guide was then given to me who took me on some three or four leagues farther. I then had a third guide who conducted me ten leagues farther, and there I had the honour of seeing her royal highness." She escaped the more active search which began latterly to be made, only by almost daily changing her abode and her disguise. Sometimes she wore the habit of a tender of cows or sheep, at others she appeared as a miller; then as the *femme de chambre* of some wealthy house, and afterwards as a peasant's wife. Not unfrequently she eluded pursuit by being carried in a large bundle of hay upon the shoulders of some sturdy driver of a team of oxen. Thinking at length that she would find greater safety in large towns, though not ignorant of the new and rigid vigilance of the police, which ceased neither night nor day, she determined to come to Nantes, where she had several times resided without detection, and where the house of a Made.

moiselle Duguigny was prepared for her reception. Here she was betrayed to the police, in the beginning of November, by a favoured and trusted emissary of her own, said to have been a German Jew, converted in Rome to the Catholic faith, and by name Stephen Gonzago Deutz. This man had gained favour in Rome by abandoning his religion. There he was introduced into the service of the Duchess, after she had been expelled from France, along with the rest of the royal family. She employed him in various secret missions; he executed them well, grew in her favour, and became one of her most confidential political agents. He accompanied her on her present expedition; and, after having been again employed on various missions, agreed with the French police, for a large bribe to betray his mistress. In the beginning of November, the Duchess had come into Nantes, where she still was residing unknown in the centre of the military and police. Deutz pointed out the house. On the morning of the 6th of November, it was surrounded by gendarmes, and searched. No person was found. The police was accompanied by masons to detect, by sounding the walls, private places of concealment, but none was discovered. In one apartment a corner was marked by a chimney, in which the gendarmes had lighted a fire during the night. It had been allowed to go out, but was rekindled in the morning. It was thought that the apparatus of the chimney was not precisely as it had been. The fire was raised higher; voices were heard behind it. The inmates of the secret recess, to which it was the entrance, unable longer to endure the heat, came

forth from their hiding place, and the duchess of Berri, with three of her ladies, was a prisoner. She behaved with great good humour and cheerfulness. They had remained for fifteen hours in this narrow hole, too small to be called a closet. The Duchess was immediately conveyed by sea, to the castle of Blaye, on the banks of the Gironde, where she was treated with the civility, and accommodated with the comforts, which were demanded by her sex and rank, no less than by her spirit and fortitude, however imprudently directed.

We have mentioned that M. Berryer had gone from Paris to La Vendée to communicate to her royal highness the opinion which her friends in the capital entertained of the futility of the attempt she was about to make. On his return from this visit, he was apprehended at Nantes, and imprisoned to take his trial for adhering to the king's enemies, with an additional charge of having been an instigator of the Vendean conspiracy, by previously giving commissions to officers for what was to form the royal army. The trial, which took place at Blois on the 16th of October, led to disclosures regarding the practices of the agents of the government, which were injurious to its popularity. M. Berryer was a public character, of high professional reputation. Though a loyalist at heart, his opinions were never concealed, and they had never led him to join in any plots against the public peace. The public did not believe that ministers would have ventured to bring him to trial without grave cause and good evidence; but the whole affair turned out to be a mass of falsehood, calumny, and perjury. M. Berryer admitted



at once that he had gone to La Vendée to see the duchess; and that he had seen and conversed with her. The particulars of the conversation he would not repeat, except that he stated to her frankly and honestly his opinion of the course on which she was entering. There was, and, in truth there could be, no evidence that he had gone for the purpose of aiding and encouraging her; because it was well known that the object of his journey, as well as of Chateaubriand's letter which he carried, (and which by this time had been published), was precisely the reverse. The court, however, referred to a report made by the Procureur du Roi at Nantes, detailing certain conversations he had held with M. Berryer, in which the latter was made to speak much more freely, and even to name accomplices, viz. M. de Chateaubriand, M. Hyde de Neuville, and the duke of Fitzjames. On the faith of this report, these three peers had been arrested, and had remained in prison till they were liberated on the 30th of June, when the siege of Paris was raised. It was now discovered that this report was a lie from beginning to end. It came out so clearly as to be admitted, that this Procureur du Roi, at the time when he transmitted this report to Paris, had not even seen M. Berryer, much less had held with him any conversation. It was dated the 4th of June; he had never seen the prisoner till the 11th. Nay the very object of his visit to M. Berryer's place of confinement, was to tell him, that he had transmitted to the minister of justice, a report of declarations bearing to have been made to him by M. Berryer more than a week before, and to ask him to have the kind-

ness to admit that they had been made. M. Berryer naturally declined to grant this favour; and thereupon the procureur applied to a friend of M. Berryer, with whom he, the procureur, had held some conversation, to prevail upon him to consent that these conversations should be considered as having been held with M. Berryer himself. The impudence and falsehood of all this in a public officer was bad enough; but the other part of the case broke down still more miserably. It stood upon the evidence of one Tournier, a self-called ex-lieutenant-colonel, who described himself as having assumed the title which he bore from having been a leader of what he called the volunteers of the charter, and having done good service to the cause of the people during the days of July. His story was, that, some time in February preceding, two strangers had applied to him to join the partizans of Henry V., and had ordered him to go to M. Berryer as the director of their movements: that, to detect their designs, he immediately called for M. Berryer, without any other introduction, and found him equally imprudent and communicative: that M. Berryer gave him at once 500 francs, told him he was going to see the Duchess of Berri, and would bring back for him a colonel's commission, and four other commissions for his friends: that he saw M. Berryer after his return, received the commissions, and then revealed every thing to the police. But, on further examination, the whole of this, too, turned out to be a mass of lies invented, if not by a hired spy, by a willing tool of the government. The ex-lieutenant-colonel got involved in such a labyrinth of contradictions, im-



possibilities, and falsehoods, that he was struck dumb at the evident detection of his rascality. After stating that it was an utter stranger who opened to him this treasonable plot, he immediately swore that the same person had gone with him to visit some acquaintances who were in confinement on account of the insurrection of the 2nd of February. Yet he knew nothing about him, which the president declared to be utterly incredible. He stated that, immediately on receiving the commissions, he delivered them at the house of Marshal Soult; that they were returned to him a few hours afterwards, and that he kept them up for three months, not thinking them matters of any moment. It was proved that, after he did lodge them in the hands of the law officers, he refused to authenticate them with his signature. Being now asked his reason for that refusal, he remained silent—and the signatures were proved not to be the hand-writing of the duchess of Berri. He had stated that he could reveal facts which would destroy eight or ten persons. He was now asked to name them. He swore that he did not remember their names—that he thought he had mentioned some to M. Berryer, but, if so, they were names stated at random. The combined disgust of the bench, the bar, and the audience at length drove the colonel to complain of head-ache, and to request the indulgence of the court till next morning, when perhaps he would be more exact. Next morning, however, he only sent a letter stating that he was ill in bed, and could not recollect dates. Two physicians were sent to examine him. They reported that he did not seem to be ill, but that

his courage was damped, and he wished to have another day for recollection. The court decided that his future attendance might be dispensed with. But others than this witness had been manufacturing evidence. On searching M. Berryer's house was found the following note. "The spot you mention is that pointed out by my letter. Under the trees and near the tomb was a stone bearing the letters C. B. Your letter overwhelms me. Under this stone I had placed a box, containing papers of the greatest importance to me. As I made the deposit at night, it will be better to dig by the side of the tomb." This was produced as clear evidence of correspondence with Caroline de Berri. The letter had reference to a box entrusted to the care of M. Berryer, by a person whom he named. He had sought for it, and found it, in the spot pointed out; he had done this in the presence of the mayor of St. Cloud, who drew up a proces-verbal of the transaction. The note and the proces-verbal had both been deposited in the same drawer. They were both dated in 1817. But now, the date of the note had been erased, and the proces-verbal was suppressed. The exposure was so complete, that the crown counsel threw up the case in an agony of shame.

At length, after an interregnum of seven months, ministers resolved to meet the chambers. The session was opened by the king in person on the 19th of November. As the procession, on its way to the chamber, was passing the Pont Royal, a pistol shot was discharged at the king by some one in the crowd. The ball, if the pistol contained any, did not take effect, and the person who fired it made

his escape. The incident, however, occasioned, at first, a high degree of excitement and alarm; till the opinion began very generally to prevail, that the king had never been in danger, and that the plot had been a plot of the friendly police—an opinion which was any thing but suppressed by the disclosures made when two persons, after a considerable time, were seized, brought to trial, and acquitted. The occurrence did not interrupt the proceedings of the day. The speech with which his Majesty opened the session was in the following words:—

“Gentlemen,—I am glad, after a long separation, again to have recourse to your wisdom and support. In the interval my government has been exposed to serious trials. It has overcome them by its own strength; it has triumphed over factions.

“Deceived by the generosity of our institutions, by our respect for the guarantees of public rights, they have miscalculated the strength of a legal and moderate policy. In Paris, in the name of the republic—in the west, in the name of the counter revolution—they have attacked by force of arms the established order. The attempts at republicanism, as well as counter-revolution, have been quelled. The days of the 5th and 6th of June have made manifest the perversity and the imbecility of the friends of anarchy. They have made clear the danger of a policy which would temporize with subversive passions instead of crushing them in their birth. Constitutional monarchy has recognized its true friends and its true defenders in that generous population of Paris, in that intrepid national guard, in that brave and

faithful army, who have so energetically repulsed such attempts. I have been very happy that my presence, by encouraging good citizens, has hastened to put down sedition. It has been seen what force a constitutional king may find in the support of the nation, when compelled to have recourse to arms to defend the crown which he has been called on to wear, and the institutions which he has sworn to maintain. We have had to deplore, in the west, insurrections and odious crimes. The mass of the population have not taken any part in it; and wherever the rebellion has broken out, it has been speedily extinguished. Let, therefore, the culpable authors of civil war, who have so many times desolated those districts, lose all hope of a counter revolution, as impossible in my eyes as in yours; for they find us unanimous to suppress it, always faithful to our oaths, and ready to unite our destinies with those of the country. A recent event, decisive for the public peace, will destroy the last illusions of this party.\*

“Gentlemen, at Paris, as in the west, my government has been able to borrow from the existing laws all the energy compatible with justice. For like crimes, like repression is necessary. In these critical days, it was necessary that the defenders of public order and of liberty should find in the firm resolution of the governing power the support which they demanded. It will be your task to examine whether our legislative provisions do not require, in this respect, to be revised and completed, and by what measures the

\* In allusion to the apprehension of the Duchess of Berri.

safety of the state and the liberty of the subject may at once be guaranteed. It is by persevering in this course of moderation and justice that we shall show ourselves faithful to the principles of our glorious revolution. This is the system which you have strengthened by your concurrence, and which has been sustained with so great constancy by the able and courageous minister whose loss we deplore. Already the happy effects of this system are everywhere felt.

“ Within, confidence revives; commerce and industry have resumed their course; Providence has spread its treasures over our fields; the scourge which so cruelly desolated us has gone from us; and every thing promises us the prompt reparation of the evils by which we were afflicted.

“ Without, the pledges of national prosperity are not the less secure. I have every reason to reckon on the pacific dispositions of foreign powers, and on the assurances which I every day receive. The intimate union, which has been formed between France and Great Britain, will be to both nations a fertile source of welfare and of strength, and to all Europe a new guarantee of peace.

“ One question alone might still have prolonged in Europe some uneasiness. Notwithstanding the efforts of my government, the treaty of the 15th of November, 1831, which was to consummate the separation of Belgium and Holland, remained unexecuted; the means of conciliation seemed to be exhausted; the object was not obtained. I considered that such a state of things could not continue, without compromising the dignity and interests of France. The moment was come to provide for

the execution of treaties, and to fulfil the engagements contracted towards Belgium. The king of Great Britain has participated in my sentiments. Our two flags wave together at the mouth of the Scheldt: our army, whose discipline and good spirit equal its valour, has arrived at this moment under the walls of Antwerp. My two sons are in its ranks.

“ In giving to the king of the Belgians my dear daughter, I have strengthened by a new tie the alliance of the two nations. The act which consecrated this solemn union will be laid before you.

“ I have also given orders to my ministers to communicate to you the treaty concluded on the 4th of July, 1831, between my government and that of the United States of America. This transaction puts an end to the reciprocal claims of the two countries.

“ You will also be informed of the treaty by which Prince Otho of Bavaria is called to the throne of Greece. I shall have to request of you the means of guaranteeing efficiently with my allies, an indispensable loan for the consolidation of a new state founded by our care and our assistance.

“ I request that our fundamental legislation may be promptly completed. The laws announced by the 69th article of the charter will be presented to you in the course of this session. You will have to deliberate on the responsibility of ministers, on the departmental and municipal administrations, on the organization of public instruction, and on the condition of officers. Several other laws of less political importance, but of great interest to the affairs of the country, will be also presented to you.

"I regret, that I am not able at present to propose to you any reduction of the public charges; our duty towards France, and the circumstances in which we are placed, impose on us still heavy sacrifices; but the general position of Europe permits us to anticipate their conclusion. The future appears to us under favourable auspices; credit is sustained and is strengthened, and indubitable signs attest the progress of the national wealth.

"A few efforts more, and the last traces of the anxieties inseparable from a great revolution will disappear. The feeling of stability will return to all minds. France will assume an entire confidence in the future: and then will be realized the most cherished of my wishes, that of seeing my country raise itself to the height of prosperity to which it has a right to aspire, and of my being able to say, that my efforts have not been useless in the fulfilment of its destinies."

The first proceedings of the Chamber—the election of its president and vice-presidents—shewed a strong majority in favour of the ministry. M. Dupin was their candidate, and allowed himself to be made their candidate, for the chair, although differences of one kind or another between them had prevented him from entering the cabinet. M. Lafitte was his opponent. The former had 234 votes, the latter only 136. When M. Lafitte, in the preceding year, was opposed to M. Perier, as candidates for the same office, he was only five votes below his antagonist. The election of the vice-presidents, and of the presidents and secretaries of the Bureaux, showed an equally preponderating majority

in favour of government. Out of these nine presidents, and nine secretaries, only one was a declared adherent of the opposition. These results tended greatly to remove the apprehensions of ministers of being seriously called in question for their illegal suspension of the law, and would seem to prove, that that irregular exercise of power found, in public opinion, a sufficient excuse in the good purposes which it had served. It was made, however, the prominent subject of discussion on the address. Amendments were moved on the paragraph which echoed the expressions used regarding it in the speech. They went indirectly to censure ministers, by declaring that the ordinance was contrary to the charter; the mildest merely altered the phraseology in which ministers themselves had expressed the propriety of making the constitution, by means of new laws, speak a more precise language. Even M. Odillon Barrot declared that the opposition did not wish the impeachment of ministers, but merely reparation to the injured charter. The prime minister defended the proclamation of martial law on the ground, that the events of the 5th and 6th of June were of such a nature as to place government in the situation described by a leading orator of the opposition, who had said, in a speech delivered by him in March 1831, that, "when serious danger menaced the country, the minister, in order to save the laws, might for a moment place himself above them." Government, however, did not place itself above the laws, but had only recourse to the existing laws, the recent application of which to the departments of the west had given rise to no objections. Stress had

been laid on the period of taking the step in question. The riots commenced on the 5th of June, at five o'clock, but it was not until late in the night, and on the morning of the 6th, that they assumed the character of a positive insurrection. On the 6th, the rebels were openly in arms, barricades were erected, communications were interrupted, and the necessity of the measure was recognised by the national guards and the great mass of the citizens. The ordinance, which was only the declaration of a fact accomplished, (for the anarchy, which existed, had itself put Paris in a state of siege), was determined on and announced on the afternoon of the 6th, its official promulgation could not take place until the 7th; and, although in fact the rebellion had been then suppressed, there could be no doubt, that the knowledge of that step having been taken contributed materially to the defeat and depression of the insurgents. M. Barthe, the keeper of the seals, insisted strongly on the inconsistency of the opposition. The same parties, who chose to condemn the declaration of martial law in Paris, approved of it in La Vendée. The very journals, which, on the 3rd and 4th of June, were full of the regulations to be observed in cases of martial law, and loudly proclaimed both the legality and expediency of the measure as applied to La Vendée, on the 7th of June, only three days afterwards, were as strenuously employed in proving its illegality. The situation of Paris on the 5th and 6th of June, and the proofs furnished by the collection of arms and ammunition discovered at different places,—shewed the existence of a plot to overthrow

the government. It was not only necessary to repress rebellion by declaring martial law on the 6th, but to prevent its recurrence by continuing it afterwards. To protest against the rebellion on the one hand, and make it up by accusing the ministry on the other, was a weakness or an error; it was approving the repression of disorders, yet blaming the hand which applied the check.

M. Odillon Barrot argued, that government ought never to quit the path of legality; but if, in the absence of the chambers, imperious necessity compelled it to do so, it should take the earliest opportunity of explaining to the representatives of the country the nature of that necessity, and throwing itself on their mercy: in that case, a bill of indemnity might be granted. What could be said of an administration which had put four departments and the capital of the kingdom without the pale of the law, with no better excuse for its extra-legal conduct than syllogisms and legislative doubts, wholly inadequate to balance the injury inflicted upon the fundamental compact? In Paris the ministry had not even the excuse of the existence of civil war; for it had been amply proved that the rebellion was at an end before martial law had been proclaimed. That measure had been rejected in the council of ministers on the morning of the 6th of June, and was not adopted until the evening of that day, when the firing had ceased, and the rebellion was wholly at an end. The real motive of it could only have been the desire of vengeance, and the hope of being able to crush without difficulty those fallen enemies, whose fate would be delayed,



and perhaps mitigated, if left to the ordinary tribunals. If such were the motive—and he could imagine no other—then, putting the strict legality of the measure out of the question, the adoption of it for such an object was an attack on the charter calling for signal reparation. “We should have thought,” said he, “that ministers, profiting by the lessons given them by the past, would have kept within the strict line of legality. However, we are deceived; still nothing is lost. Let us endeavour to arrest the government on the brink of the precipice at which it has placed itself; and since ministers have so violently attacked the constitution, let us render it all the respect that is due to it.”

Admiral de Rigny, the minister of the marine, asserted, in contradiction to M. Odillon Barrot, that the declaration of martial law had been determined on in the morning, not the evening, of the 6th of June, and that the council was unanimous in its decision. “M. Odillon Barrot, the minister of the marine, gives me the lie. I accept it. I shall carry the discussion no farther”—and the sitting was adjourned amid tumult and agitation.\* Other stormy dis-

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\* There was here an awkward discrepancy between the statements of the ministers. Marshal Soult had just said, that the ordinance “was determined on and announced” *on the afternoon* of the 6th, although it could not be officially promulgated before the 7th; he had mentioned the state of things upon the 6th as the reason why it was adopted; and if it was adopted in the morning, it is difficult to conceive why it should not have been brought to the knowledge of the citizens during a long day in the month of June. Yet Admiral Rigny averred that it was in the morning it was resolved on, though all Paris was kept

cussions succeeded. It having been stated that the national guard itself had called for coercive laws, the opposition reproached the ministry with having thus allowed themselves to be influenced by an armed body. There was an end of the constitution, if armed bodies once began to deliberate. M. Lefebvre, one of the deputies of Paris, asserted that it was not the national guard alone which called for a state of siege; it was the whole population of Paris, except the factions and their friends. The confusion and uproar, which followed this expression, were boundless. With difficulty did the president succeed in obtaining a hearing for the honourable deputy, who, however, persisted in his assertions. He would repeat, that the King, in his tour, on the 6th, through the different quarters of Paris, heard no other cry than for the city to be placed in a state of siege. (Fresh uproar). The capital was in such a state of alarm at the sedition and pillage with

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in ignorance of it till the 7th. A great deal of importance was attached by each party to this difference of time; as ministers pleaded the state of the capital in the night of the 5th for proclaiming martial law on the morning of the 6th, though nothing was known of the ordinance, until it appeared in the *Moniteur* of the 7th. Now, as all the rioters had been taken or dispersed, and tranquillity was every where restored by the evening of the 6th, the opposition laboured to show, that the government had not even the excuse of continued riots for taking on themselves the responsibility of proclaiming martial law. M. Odillon Barrot declared that the King himself assured him and M. Lafitte, when they waited on His Majesty to advise moderation in the course which the government was about to pursue, that it was only on the evening of the 6th that the ordinance was resolved upon.



which it was threatened, that the factious alone desired that Paris should not be declared in a state of siege, and the cry for that measure was unanimous, when His Majesty, on the 6th of June, went through the streets and upon the quays, whence the revolvers had but just been driven. If the factions had triumphed, the republic would have been proclaimed. M. Salverte, another representative of the capital, said, that all this was "false," and was an insult on the population of Paris. M. Jacqueminot, the head of the staff of the national guard, contended, and apparently there was sense in the argument, that the arms and barricades of the rebels had, in reality, placed Paris in a state of siege, before it was declared to be so by the authorities. All the amendments were rejected by considerable majorities. The address, as a whole, was carried by 233 to 119, being a majority of 114.

Various projects of law, which ministers had promised under the general phrases of the king's speech, were forthwith introduced. Among them was a bill to fix ministerial responsibility; a bill to regulate, for the future, the powers which should belong to the executive in establishing military law; a bill for the formation of municipal and departmental councils, a topic which had furnished for years the materials of contention and debate, — a measure for which the more popular party had ever loudly

called, in their hope that the constitution of these assemblies might render them nurseries of the democratic principle. A bill, too, was introduced to revise the custom duties, and abolish some of the prohibitions. But as none of these measures was more than introduced during the year, their history and discussion belongs to the legislative business of its successor.

The foreign affairs of France, too, having been confined to armed intervention in the concerns of other countries, belong more properly to the history of the states against which, or in whose favour, that intervention was applied. She sent, unasked, a fleet and an army to Ancona, which took military occupation of a city and a citadel belonging to a friendly power. She disavowed the manner in which the occupation had been taken, and the commander by whom it had been conducted; but the occupation itself was retained. The siege and capture of the citadel of Antwerp, which was likewise designated a work of peace, was a more energetic exertion of her military power, but belongs to the history of Belgium. In the course of the autumn, the King of the Belgians was united to a daughter of the French monarch; and thus to the political relations, which identified the Belgic provinces with their encroaching and military neighbour, was added the tie of a family compact.

## CHAP. XI.

**HOLLAND AND BELGIUM.**—*State of the Negotiation for the Separation of the two Countries—Objections of Holland to the Treaty of the Twenty-four Articles, and Answers of the Conference—Delay in the Ratification of the Treaty—Unsuccessful Negotiations of Russia at the Hague—Ratifications of the Treaty exchanged—Seizure of M. Thorn, and its consequences—Proposals of Holland rejected—The Conference threatens to discharge Belgium of her share of the Debt—Explanatory Articles added to the Treaty to provide for subsequent negotiations between Holland and Belgium—Demands of Belgium—Holland agrees to the cession of Luxemburgh and presents a Counter-project on the other disputed points—Belgium protests against its being entertained till the ceded territories shall have been given up—The Conference declares it to be inadmissible—Disputes regarding the Scheldt, and the internal waters of Holland—France and England resolve to employ force against Holland; Austria, Prussia, and Russia refusing to concur—Convention for that purpose between France and England—Demands made on Holland by these two Powers to deliver up the Citadel of Antwerp refused—Embargo on Dutch Vessels—Project of Treaty proposed by Prussia, accepted by Holland, but rejected by England and France—French Army enters Belgium—Siege and surrender of the Citadel of Antwerp. **GERMANY**—Ordinances of the Diet against the Press—Proceedings thereupon in different states of Germany. **POLAND**—Consequences of the suppression of the Insurrection.*

**T**HE negotiations of the conference of London finally to arrange the terms on which Holland and Belgium should be separated, had terminated in the treaty of 15th October, 1831. To the terms of that treaty Belgium had acceded, while Holland declined them. The conference had declared that the provisions of this treaty, commonly called the treaty of the 24 articles, were final and irrevocable, and that the five powers were resolved to bring about their acceptance by every party should

part of the year they had laid down certain other bases of separation, which Holland had accepted and Belgium had rejected. These had been declared by the conference, over and over again, to be final and irrevocable; the conference had repeatedly expressed their resolution to compel their fulfilment, and had even ordered their political agents to withdraw from Brussels. The intrigues, connected with the elevation of Leopold to the Belgian throne, had changed the scene. The irrevocable decisions were re-called, to

modify them into a shape more favourable for Belgium, and new negotiations produced the treaty of the 24 articles. Holland could not see why a decision more favourable to Belgium, adopted in October, should be more final and irrevocable than a decision less unfavourable to Holland which had been adopted in January, and on the faithful performance of which, as a solemn compact, she had been required to rely. If negotiation, in the one case, was open to Belgium, it could not, with any justice, be refused, in the other, to Holland. If, when Belgium obstinately refused submission to what the conference had declared to be expedient, reasonable, and just, concession, not force, was employed to overcome that obstinacy, Holland had no right to anticipate that, against her, it would be all compulsion. On the contrary, Holland stood on this favourable ground, that the original articles, to which she had agreed, formed a contract into which the conference entered. Much of what they contained she afterwards gave up. More than they contained she never demanded; whatever came under them she was entitled, in good faith, to demand; any modification of them, which might be desired, was matter to be obtained from her voluntarily by yielding up her rights. To call upon Holland to agree to any modification of the accepted conditions which rendered them less favourable, was to ask her to recede from what the conference itself had declared to be just and reasonable, and from rights with which the conference itself had vested her. To every demand she was entitled to say,—‘Execute the agreement into which you have

entered with me: If Belgium rejects it, make your decision effectual in my favour, or allow me to make it effectual myself.’

On the 14th December, 1831, the Dutch plenipotentiaries gave in a note to the conference stating the grounds on which Holland objected to the new treaty, and claiming the execution of the original articles. They complained, first of all, of the manner in which the new treaty had been prepared. The conference was founded upon a protocol signed at Aix-la-Chapelle in 1818, which, while it provided for congresses of sovereigns or plenipotentiaries having for their object matters specially connected with other states, did so under an express reservation of the right of the states whose affairs were under discussion to participate in the deliberations. In the present instance, Holland had been now limited to written expositions of her demands, and written replies to her adversary—something very different from the meetings and direct participation contemplated by the protocol. The consequence was, that, in this new treaty of 24 articles, there appeared for the first time provisions, equally serious and unexpected, which had not been once under discussion, which it was impossible to foresee would come under consideration, and regarding which the envoys of the king had never been consulted. The alterations, to which Holland objected were then specified. She objected, to the depriving her of part of Luxemburgh on which the conference had already solemnly decided that Belgium had no claim, and that it was not even part of the dominions of Holland, but the patrimony of the family of

Nassau. To pretend to give an indemnity elsewhere, was to deal arbitrarily with other people's property. To identify Holland with Nassau was as absurd as to identify the crowns of Britain and Hanover, and to impute to Holland as a favour the arrangements concerning the Grand Duchy of Luxemburgh was not more reasonable than it would be to carry to the account of England a treaty concluded by the Hanoverian government. Holland further objected to the new provisions regarding the rivers, particularly the Scheldt, which involved nothing less than dividing with foreigners the superintendence of the rights of navigation, the fixing the navigation duties in common with another state, the exercising the right of fishing by foreign subjects, and confirming to the Dutch, as if it truly were a doubtful matter, the right of navigating their own rivers. Now, likewise, foreigners were to have the right not only of navigating Dutch canals, but of making a road, or cutting a canal, in the territory of Holland. Farther the conference had now interdicted all restraint on commercial intercourse through Maestricht, one of the most important strong-holds of the kingdom; and lastly, they had made changes in the apportionment of the debt, which only laid new burdens on Holland. The plenipotentiaries, therefore, protested against the new treaty, as being inconsistent with the terms and compact contained in the previous formal and solemn agreements which had fixed the position of the king with respect to the five powers. They added, with great justice, that as the five powers had pledged and bound themselves never to recognize Bel-

gium, nor any king of Belgium, until the latter accepted all the terms of the final and fundamental agreement, and as they had, notwithstanding, acknowledged both, by executing a treaty with Belgium containing the new articles, after she had obstinately refused to accept the conditions on the faith of which Holland had acceded, the king of Holland, by the fact alone of this premature recognition, would be entitled to decline the arrangements for a separation on any terms that did not secure the conditions and reservations which the interests of his dominions demanded.

The conference replied by a note of the 4th January, 1832. It justified the mode in which the business had been conducted, by maintaining that the article of the protocol of Aix-la-chapelle, on which Holland relied, laid down nothing relative to the form of the deliberations which the five powers might have to open with the plenipotentiaries of the states that claimed their intervention. It related to the sittings only of the sovereigns, or plenipotentiaries accredited between the five powers, who alone signed it; and it reserved to the states which might have caused the intervention of the five powers the right of participating in the sittings, either directly, by the presence of the sovereign himself, or by plenipotentiaries. They did not deny, however, the statement in the Dutch note, that on the new provisions of the 24 articles, the ministers of Holland had never been consulted, and, instead of being called on to discuss them, had merely been requested to receive them as things already fixed and alterable. The conference averred

however, that these articles were only the developement of the original bases of separation, and embraced the application of all the principles proposed in favour of Holland by the protocols on which she founded. It might be true that the one set of propositions regarded, in a certain sense, the same principles which were the foundation of the other. But it was not to general principles alone that Holland had agreed: it was to a particular application of these principles, bringing out certain practical results. It was in the particular mode of applying these principles that the advantage of the one country, or of the other, was to be found. Thus, if after it had been solemnly decided that the pretensions of Belgium to any part of Luxemburgh were preposterous, it was only a legitimate application of the same principle to give her part of it, the same reasoning would have gone to strip Nassau of the whole: or, if after an agreement which did not give Belgium certain rights of navigation and control in rivers and canals, a new paction was framed to bestow upon her these privileges, the latter might still be an application of the general principle that the conference was to regulate the mutual rights of the parties regarding these waters, but it was one which annihilated the former application, and annulled the stipulations of a concluded contract. The Dutch plenipotentiaries, on the 30th of January, replied to the note of the conference, in a long memoir, entering fully into the considerations which showed how essentially the new articles varied, and varied to the disadvantage of Holland, from the conditions of the protocols of Janu-

ary and February 1831. At the same time they presented to the conference a project, which might be converted into a treaty between the king and the five powers, in order, as far as possible, to meet the wishes of all. The conference treated this as a mere confidential communication, although it accompanied an official note, and was laid before them to be converted into a treaty. They took no notice of it till the 10th of June, when they declared it to be altogether impracticable and inadmissible, being apparently intended to regulate the separate administration of Belgium, whereas the negotiation carried on with his Dutch majesty since June 1831 had for their object, the adoption by Holland of the conditions of the independence of Belgium and the recognition of its new sovereign.

In the mean time the ratifications of the treaty concluded with Belgium on the 15th of November, 1831, on her acceptance of the twenty-four articles of 15th October, had not yet been interchanged. They were to have been exchanged within two months of the signature of the treaty; but the time thus limited, the 15th of January, elapsed, and the treaty was not ratified. Britain and France had ratified it with the Belgic envoy on the 31st of January; but Austria, Prussia, and Russia were not prepared to proceed so strictly and sternly against Holland, as were her constant enemy France, and her ancient ally Britain. They were labouring to remove the points of difference by mutual concession, a task in which they could expect little assistance from Belgium, who reckoned safely on the instantaneous and interested assistance of France, and who,

moreover, was now placed, in so far as regarded the conference, in the favourable position of demanding fulfilment of a treaty signed by the accredited ministers of all the sovereigns who composed it. The Russian cabinet despatched count Orloff on a special mission to the Hague, to prevail on the king of Holland to accept the treaty as it stood, its articles being open to amendments which might be introduced into a final treaty between the two countries. The mission was unsuccessful. Holland stated the modifications of the original conditions to which she was willing even yet to submit, provided they were incorporated in the new treaty, but she would not agree to bind herself by that treaty as it stood, trusting merely to the chance of obtaining by future negotiation what she thought herself entitled to demand as essential elements of any agreement. The Dutch government, at the same time, stated the modifications of the treaty which she required as the condition of her accession. They were said to have been the following :—1. “The rectification of the article of the treaty of the 15th of November, 1831, which relates to the right of pilotage and of placing buoys in the Scheldt; which rectification is to be effected in the sense of the Dutch memorandum of the 14th of December last. 2. The suppression of the project of a road or canal, of which the Belgians were to have the use, in the province of Limburg. 3. The capitalization of the part of the debt which has by the treaty become apportioned to Belgium. Antwerp and the forts to remain in the Dutch possession until this be effected. 4. Arrangements to be made relative to the sinking fund,

in accordance with the proposals made by the Dutch plenipotentiaries in the treaty offered by them on the 30th of January, 1832. 5. In order to ensure to the Dutch government the secure possession of Maestricht, as well as a free communication between that fortress and Bois-le-Duc, and in the sense of the annex A to the 12th protocol, “as well as in compensation for the colonies ceded by Holland, and of her part in the ten cantons,” the territory given in Limburg to Holland should, besides the portion allotted by the treaty, consist of the communes of Lommel and Zuid-Willemsvaert, with the communes bordering on the canal, as well as an extension of district around Maestricht. 6. The total or partial exchange of the Grand Duchy of Luxemburgh, to be effected subsequently by a special and immediate negotiation.” Upon those conditions, his majesty proposed to acknowledge the independence of Belgium, and the sovereignty of Leopold; but this overture, as it expressly stipulated, was to be considered null, if no understanding could be come to on its conditions. Count Orloff quitted the Hague, having notified to its court a declaration by his imperial master, that, having exhausted all means of persuasion and conciliation, he did not see any opportunity of hereafter rendering to Holland either succour or support. “Faithful to his promises, his imperial majesty will not become a party to the employment of coercive measures for compelling the king of the Netherlands, by force of arms, to subscribe the twenty-four articles; but, considering that these articles comprise the only basis upon which a separation between Belgium and Holland can



be effected, and they being open to amendments, admissible in a final treaty between the two countries, his imperial majesty considers it just and reasonable that Belgium should remain in the enjoyment of all the advantages resulting from the articles in question, and more particularly of that neutrality, in principle, recognised by the king of the Netherlands. As a necessary consequence of this principle, his imperial majesty will offer no opposition to any repressive measures which the Congress may adopt for the purpose of guaranteeing and defending this neutrality, should it be violated by a renewal of hostilities on the side of Holland. In this case, should it unhappily arise, his imperial majesty reserves to himself the right to concert with his allies as to the means most proper for promptly re-establishing the neutrality of Belgium, in order that the general peace of Europe may be protected from even the least danger of violation." Similar declarations were made by Austria and Prussia.

Belgium was clamorous in remonstrating against delay, and demanding instant ratification and execution; having been successful twelve months before, in demanding, with equal clamour, delay and concession. On the 5th of April, the ministers of France and England stated to those of the other three sovereigns, that they had reason to believe, that the latter were now furnished with the necessary powers for the ratification of the treaty, and called upon them to declare, that they were ready to exchange the ratifications, or, if they were not, to explain the circumstances which prevented them. The ministers of Austria, Prussia,

and Russia answered, that they were not yet authorised to ratify: that the reason of the delay was to be found in the exertions which these powers had been making to procure the accession of Holland to the twenty-four articles, and these exertions had terminated too recently to leave time for the arrival of definitive orders. The ratification of the courts of Vienna and Berlin arrived in a few days. Their plenipotentiaries expressed a wish to delay the exchange of the ratifications till those of Russia had been received; but on Britain and France urging the necessity of removing groundless distrust and alarm, Austria and Prussia ratified on the 18th of April, the protocol being kept open for Russia whose ratification arrived and was exchanged shortly afterwards. These powers, however, added to their ratifications the proviso that any conditions, on which Holland and Belgium might agree, should be held to form part of the treaty. Prussia added its wish and expectation, that the conference itself should consider of the modifications in favour of Holland which might be introduced into the twenty-four articles. She insisted on this the more earnestly, as France and England had declared it was only after the ratification that any modifications could be made, and it would be more desirable to accomplish an amicable settlement than to use force to compel execution of the treaty strictly as it now stood. Austria and Prussia, as members of the Germanic confederation, reserved, likewise, the rights of that body with respect to the cession which the treaty made of part of Luxemburgh to Belgium.

A new event had occurred to

entangle the negotiations. The Belgians had claimed Luxemburgh by the sacred right of insurrection; but there was likewise insurrection upon the other side. In the beginning of the year armed bodies of men, not alarming in point of number, under a leader of the name of Tornaco, alarmed, and sometimes attacked the Belgian authorities. Military were sent against them—they were dispersed—and some of them made prisoners, for though Belgium as yet had nothing to do with Luxemburgh, she treated all such enterprises as aggressions against her rights, while all enterprises undertaken by her partisans against the grand duke of Luxemburgh were considered to be proper exertions of the national independence. M. Thorn, formerly governor of Luxemburgh, was a partisan of Belgium, and a member of the Senate. A part of Tornaco's band, wishing to have a hostage for the safety of their imprisoned comrades, seized this gentleman in the month of April, at his country seat, and carried him to Luxemburgh, where he was detained on a charge, which could not well be denied, of having rebelled against his sovereign in 1830, and contributed all that in him lay to overthrow the government of the Grand Duchy, and transfer its allegiance to Belgium. The Belgian government, however, raised a loud outcry against his imprisonment as a violation of the law of nations, and an insult to the dignity of the country. The arrest had not been authorised by the grand duke—it had taken place on a territory which belonged to the Germanic confederation, and which that body had declared to be neutral during the present quarrel. The grand

duke seemed inclined to make the release of M. Thorn, who had betrayed him, a condition of the liberation of the prisoners of Tornaco's band, as well as other citizens of the grand duchy, who had acted for him; and Belgium forthwith applied to the conference of London to order him to be immediately set at liberty.

By this time all the five powers had ratified the treaty with Belgium, and on the 4th of May, they communicated to the Dutch envoys that the treaty so ratified formed "the invariable basis of the separation, the independence, the neutrality, and the state of territorial possession of Belgium." Thus the cession of part of Luxemburgh was finally fixed; but the terms used did not seem to exclude alterations on the other points in dispute—the navigation of the rivers and canals, and the debt. The conference, at the same time, requested to be informed whether the plenipotentiaries of Holland had power to negotiate a separate treaty with Belgium, and likewise required that M. Thorn should be liberated. Holland, in her reply of the 7th, repeated that the territorial possession given by the treaty was essentially opposed to the previous agreements between her and the five powers; but stated her satisfaction that a prospect seemed to be held out of favourable explanations and amendments which had been hitherto thought to be inadmissible, and that if the same system of modification were applied to other points, it would lead to a conclusion of all these discussions, and the consolidation of the general peace. In answer to the question regarding their powers to treat with Belgium, they referred to the full powers under which they had

already been acting, and which authorized them to treat directly with the conference; and they afterwards added by command of their court, that when the treaty of separation had once been negotiated between the five powers and Holland, the latter would make no difficulty to conclude and sign with Belgium on the basis of such treaty. In regard to the liberation of M. Thorn, they declared verbally that, although the arrest of that gentleman had not taken place in consequence of any instructions from Holland, his Majesty could not forget, that subjects of his own were detained in Belgium on no better grounds, and they pointed at the propriety and reasonableness of an exchange. The conference, by a protocol of the 29th of May, expressed their opinion that the case of these prisoners was not similar to that of M. Thorn; that as the arrest had been made without the authority of the Grand Duke of Luxemburgh, and was not avowed by him, and as the Germanic Diet had disapproved of it, they confidently expected M. Thorn would forthwith be set at liberty. In that expectation, they would solicit from the Belgian government the liberation of such persons as had been arrested in Belgium by way of reprisal, and would likewise ask the release of persons belonging to the armed bands which had existed in the Grand Duchy.

The Dutch plenipotentiaries had likewise laid before the conference the alterations which Holland demanded in the treaty of the 15th of November. They were the same with those which had been communicated in the end of January—but which the conference had disregarded as being merely a confi-

dential proposal—and with those which had been submitted to Count Orloff at the Hague. If this arrangement were not agreed to, then they again demanded the faithful execution of the compact into which the conference had entered with Holland in 1831; and they had, at least, the satisfaction of knowing, that the answer of the conference would show, on what points all were agreed, both in substance and in detail, and on what others farther explanation might still be necessary. The Dutch plenipotentiaries were mistaken. The conference, by a protocol on the 31st of May, informed them that the terms now proposed were just those which had been submitted to count Orloff at the Hague; that as they had been rejected then, it could not be expected they would be accepted now; and that the conference would therefore occupy itself with the resolutions which the importance of the circumstances seemed to require. This much, however, must, in justice, be conceded to the conference, that it did not attempt to make any answer to the demand of Holland for the execution of the agreements of the previous year. The Belgian minister demanded instant execution of the treaty. He even ventured to say, that to Holland must be attributed all the delays of the negotiation, “since the day when the conference found itself invested with a supreme arbitration:”—although all the world knew, that Holland had accepted the very first conditions laid down for both parties, in January 1831, and that it was the refusal of Belgium, joined to the willingness of the conference, acted on by apprehensions of France, to make this refusal effectual, at the expense of

Holland, that had rendered new negotiation either necessary or admissible. He called upon the conference to declare, that Holland ought to be burdened with the expenses of the armaments supported by Belgium, and that Belgium should be free from payment of the arrears of the debt; and to fix a period for carrying the treaty of the twenty-four articles into execution by means of coercion.

The conference seemed inclined to adopt these views in so far as they went to visit Holland with fiscal penalties. On the 11th of June they gave forth a statement of the grounds on which alone negotiation would be allowed, and the manner in which it must be conducted. It was declared, that no negotiation between Holland and the conference, inconsistent with the engagements entered into, would be entertained, and that the points which were still in question would fall to be settled by an amicable arrangement between the two countries themselves. The king of Holland was told, that if he did not avail himself of this opportunity within a short period, it would not be in the power of the conference to prevent serious consequences to his states, the first of which might be, that Belgium, instead of paying her share of the debt, would be entitled to apply it to cover the expence of the establishment kept up for the defence of her territory. The proposals of the conference were in the form of a treaty to be concluded between Holland and Belgium, although the former had always maintained that, until the conditions of separation should have been finally arranged between the conference and herself, she was not bound to negotiate, and would not negotiate,

directly with Belgium. The proposed treaty included all the twenty-four articles, declaring them to be the conditions of separation, and to be of the same force as if they had been embodied in a treaty between Holland and the five powers. Three explanatory articles, however, were added. The first stipulated that the evacuation of the territories to be reciprocally ceded should take place on the 20th of July; the second, that commissioners of Holland and Belgium should meet at Antwerp to negotiate on the articles regarding the pilotage and buoying of the Scheldt, the right of fishing, and the levying of tolls, the use of the intermediate channels between the Scheldt and the Rhine, and which gave Belgium power, if she wanted a road or canal in a particular direction, to carry it through the territory of Holland. The third made a similar arrangement regarding the matters which were still in dispute concerning the debt. Thus, of the encroachments which had been made, in favour of Belgium, on the original agreement with Holland, the conference still adhered to the new limitation of territory, and the partition of Luxemburgh. It maintained likewise the article which provided, that commercial intercourse through the Dutch fortress of Maestricht, and the Dutch town of Stillard, should at all times be free to Belgium, and should not be impeded on any pretext whatever. It agreed, however, to leave to Holland and Belgium the power of settling by amicable arrangement what regarded the rivers, the canals, and the debt; the provisions on these matters in the twenty-four articles continuing binding, if not altered by the result of that

negotiation. This did not seem to be any great boon, for if the two countries had found it for their mutual interest to vary any of the other stipulations, it is not easy to see how the conference could have prevented them from acting on that mutual agreement rather than on the compulsory treaty. In short the whole treaty was still to be imposed on Holland, unless Belgium chose voluntarily to abandon its provisions on these particular points.

In answer to this communication, the Belgian minister complained that the conference had only threatened Holland with pecuniary loss, and had fixed no time for employing force against her. He, therefore, formally repeated his demands, that the military expences of Belgium, from and after the 1st of January, 1832, at the rate of three millions of florins a month, should be set off against the Belgic share of the debt, and that the conference should immediately direct force to be used to compel the Dutch government to evacuate the territory secured to Belgium by the treaty, and to place the latter country in the enjoyment of the navigation of the Scheldt and the Meuse, as well as of the use of the roads through the Dutch territory necessary for the commercial relations of Belgium with Germany. If this were not done, he threatened that the king of the Belgians himself would be compelled to take measures for rendering these rights effectual. The threat was only to be smiled at, had it not been, that a threat of this kind always meant, that Belgium would be supported by France—that the fortune of war could never turn against her, because the legions of her neighbour

and protector would always stop the course, and neutralize the effects, of Dutch victory.

The answer of the king of Holland, the only power that had any right to complain, was of a much more reasonable and pacific character. He consented to accept the new allotment of territory, unjust and injurious as he believed it to be. He declined, however, the arrangement by which the other matters, after he should have bound himself by them as they stood in the treaty, were to be subject to modification only with the consent of Belgium. The conditions of the separation must be settled between him and the five powers. These points must be so settled as well as all others. To sign any treaty, was to acknowledge the independence of Belgium. He could not be called on to do that, until the conditions of the separation had been finally fixed by a treaty between himself and the conference. He, therefore, now submitted to the conference the draught of a proposed treaty between the five powers and Holland, in which he trusted the conference would find a new proof of his desire to put an end to the existing difficulties. These new sacrifices were too hard not to be the last; and if the offer were rejected, he reserved to himself the right of maintaining by all the means in his power the terms of the original compact between himself and the conference, without acknowledging either Belgium, or its king.

By this proposed treaty, communicated to the conference on the 30th of June, Holland adopted the stipulations of the twenty-four articles in regard to the division of Luxemburgh and Limburg, un-



dertaking to procure the consent of the male issue of the house of Nassau, and of the Germanic Confederation, to this alienation of part of the Grand Duchy. The treaty of the twenty-four articles provided, that "the provisions of articles 108 to 117 inclusive, of the general act of the congress of Vienna relative to the free navigation of navigable rivers shall be applied to those navigable rivers which divide the Dutch and Belgian territories, or which traverse them both. And until permanent regulations should be established by commissioners, "the navigation of the navigable rivers above mentioned shall remain free to the commerce of the two countries, which shall adopt provisionally in this respect, the tariff of the convention signed at Mayence, on the 31st of March, 1831, for the free navigation of the Rhine, as well as the other provisions of that convention so far as they may be applicable to those navigable rivers which divide the Dutch and Belgian territories, or traverse both." This, too, was adopted by Holland, with this difference that the provisional application of the convention of Mayence was limited to the Scheldt: "The Dutch government will adopt provisionally for the Scheldt the tariff of the convention of Mayence for the free navigation of the Rhine, and also the other arrangements of that convention so far as they are applicable to the Scheldt. But with regard to the assimilation of the navigation of the Scheldt to that of the Rhine, it will be necessary, in order to render it definitive, to have a special convention." In regard to the Scheldt, &c. the former treaty placed the pilotage and buoying of that river, as well as the conserva-

tion of the channels below Antwerp, under the "joint superintendence" of Holland and Belgium, although, from a short way below Antwerp, it flowed through Holland alone; and it provided that moderate pilotage dues should be fixed by mutual agreement, and should be the same for the ships of both states. To this joint superintendence Holland would not accede, and proposed the following article: "The Dutch government undertakes to establish pilotage duties on the Scheldt, at a moderate rate, and to take care of the preservation of the *embouchure* of that river into the sea. These duties shall be the same both for Belgian and Dutch commerce." The twenty-four articles, not satisfied with placing Belgium on an equal footing with Holland in regard to the Scheldt, farther secured to Belgium the free use of the channels which lead through the interior of Holland between Antwerp and the Rhine, subject only to moderate tolls which should provisionally be the same for both countries, and were to be definitively fixed by Dutch and Belgic commissioners, who were likewise to make provision for the exercise of the right of fishing, and of trading in fish, throughout the whole extent of the Scheldt, on a footing of perfect reciprocity between the two countries. These provisions were omitted in the Dutch project. Holland would not give a foreign nation a right to use her internal waters, as if Belgium had been Holland, and was as little inclined to treat foreigners as if they had been her own subjects, in relation to fishing, and trading in fish, in her own waters. The eleventh article of the treaty, which compelled Holland to give Belgium a free com-



mercial intercourse through Maestricht and Sittard, not to be impeded under any pretext whatever, subject only to moderate tolls for keeping up the roads leading through these towns to Germany; and the twelfth article, which provided that, if Belgium chose to make a road or a canal in that direction, she should be entitled, without the consent of Holland, to carry it on through the Dutch territory to the confines of Germany—both of these articles were omitted in the Dutch proposals. They were arrangements, no doubt, which would be highly beneficial to independent Belgium; but it was much more difficult to see good reason why advantages which Belgium, as separated from Holland, had never possessed before, should now be secured to her by encroachments on the rights and territories of her neighbour as a sovereign state. It was too much for Belgium to insist at one and the same time, that she should no longer continue to be united with Holland, and that she still should retain the advantages which would have belonged to her, if she had continued to be so united. In regard to the debt, Holland proposed no alteration of any consequence. The debt to be borne by Belgium was taken as it had been fixed in the twenty-four articles, at an annual charge of 8,400,000 florins. Commissioners were to settle the accounts of the sinking fund, and of the bank of Brussels as the general cashier of the state; but the treaty of the conference provided, that no additional charge was to result to Belgium from this settlement, and if there should be a balance to be received, Belgium and Holland were to share it according to the amount of taxes

which they had respectively paid under the former system. Holland proposed, that the commissioners should likewise be charged with the "capitalization" of the annual charge; and if this could not be agreed on in two months, so that the charge remained fixed at 8,400,000 florins, then the balances on both sides, which might arise from the settlement of the sinking fund, and the bank of Brussels, should be considered as compensated. Thus, Holland having conceded the territorial question, the real points of difference between the conference and Holland came to be—the joint sovereignty of Belgium with Holland over the Scheldt—the fishing trade in so far as the Scheldt was concerned—the right of Belgium to the waters which furnish, in the bosom of Holland, communications between the Scheldt and the Rhine—the right of Belgium to use, at all times, and under no restriction, Dutch towns and fortresses as a medium of communication with other states, and, for the same purpose, to make roads and canals through the Dutch territory. On all these points the conference still insisted that Belgium should be Holland.

The communication thus made was calculated to produce a strong impression on the conference. Holland had yielded much, and she was strong in what was still to be arranged. The friends of Belgium immediately took the alarm. Holland demanded, and she was entitled to demand, that what was still in dispute should be settled, not by the good pleasure of Belgium, but between Holland and the five powers. To say to Holland, we insist on your accepting this treaty as it stands, but we shall leave

it open to you to obtain from Belgium, by negotiation, some modification of its obnoxious articles, was very nearly to add insult to injustice. The points in dispute were, all of them, arrangements in the highest degree favourable to Belgium. To leave them to be merely the subject of negotiation with Belgium was to abandon them for ever. The Belgian government was well aware of this, and, therefore, employed all its efforts to obtain execution of the treaty as it stood, before being called on to negotiate about alterations which it was determined not to admit. If the conference should entertain the negotiation, there was some chance that the rights and interests of Holland, in regard to the disputed points, might still be preserved. The policy of Belgium, therefore, was, to insist that the conference should listen to no proposal for modifying any part of the obligations under which the five powers had come to her by the treaty of the 15th November; and that any negotiation, even between herself and Holland, regarding the articles which were thought susceptible of change, should be preceded by a full execution of all its other provisions. The plain object of Belgium was, to get possession of Antwerp, and the other territories which Holland had agreed to cede. That purpose once accomplished, Holland would have negotiated in vain for a surrender by Belgium of the rights which the treaty gave her over the Dutch territory and waters. And as for the disputes about the debt, Belgium had no reason to hasten their termination, because, in the mean time, the payments of interest were made by Holland alone. Accordingly the Belgian minister, after the new

proposal of Holland had been received, gave in a note to the conference, on the 7th of July, stating the sentiments of "lively surprise" with which he understood that ideas were entertained of farther negotiation. He insisted that the conference had always recognized the right of Belgium to demand, before every thing else, the evacuation of the territory which was to belong to her by the treaty. He had no objections to negotiate with Holland about any proposed alterations in a treaty, to which Holland was no party, provided it were first put to execution. He declared that the king of the Belgians would not consent to any negotiation on such of the twenty-four articles as were susceptible of modification, until the respective territories should have been reciprocally evacuated; and he hinted, in no very indirect terms, that the five powers would be guilty of a breach of public faith in following any other course, — forgetting that every thing which had been done since June of the preceding year had been one continued breach of faith towards Holland.

The demands of Belgium, however, were the demands of France, and the congress, though evidently with reluctance, resolved to comply. Instead of keeping in their own hands the negotiation with Holland, with whom as yet they had settled nothing except conditions which they had violated, they determined to enforce, against Holland, their own agreement with Belgium, leaving Holland afterwards to obtain from Belgium concessions which Belgium, when it was left to her own good will and pleasure, would never think of granting. A protocol was framed on the 13th of July, expressing

the satisfaction of the conference at finding that the new propositions made by Holland showed, by the concessions they made on the territorial question, a willingness on the part of the king of the Netherlands to come to an arrangement; but declaring that, nevertheless, those propositions appeared to the five courts to be inadmissible. But the conference, taking into consideration the manifest inclination of the king of the Netherlands to make sacrifices for the security of the peace of Europe, as well as the just observations made on other points by the Dutch plenipotentiaries, expressed their willingness to change some points in the note of the 11th of June, which contained their project of a treaty between the king of Holland and the five powers, for the dissolution of the union between Holland and Belgium. The protocol then set forth a new scheme, in the form of a treaty, which consisted of the twenty-four articles of the treaty of the 15th of Nov. 1831, accompanied by certain explanatory articles to this effect—

1. The evacuation of the territories, cities, towns, and places, which change domination, shall be terminated within fifteen days after the exchange of the ratifications of the present treaty, conformably to general usage. The respective troops, on evacuating the territories and places which they now occupy, shall carry with them the objects belonging to the state which they serve, excepting all such as form part of the military dotation of the said places.

2. The two states shall delegate commissioners, to meet at Aix-la-Chapelle, to negotiate and conclude there an arrangement, by mutual agreement, according to the reci-

procal convenience of the two states, relative to the execution of articles 9 and 12 of the treaty of the 15th of November, the execution of these articles, remaining suspended until the conclusion of the negotiation; and all the modifications or changes, which the commissioners shall agree to effect in the 9th and 12th articles, shall have in the eyes of the five powers, the same force and value as if they were comprised in the present treaty.—These were the articles regarding the rivers, and the making roads and canals through the Dutch territory. Both parties, however, were to regard as definitively adopted, the application of the dispositions of the articles 108 to 117, inclusive, of the general act of the congress of Vienna, to the navigable rivers, separating, or traversing, the Dutch and Belgian territory, and that provisionally the navigation should be subject to the tariffs of the convention for the Rhine, signed at Mentz, on the 31st of March, 1831.

3. If the Dutch and Belgian commissioners, who were to meet at Utrecht, could come to an understanding on the means of capitalizing, at a moderate rate, with the reciprocal convenience of the two countries, the annual sum of 8,400,000 florins, with which Belgium is charged, the arrangements so agreed were to have the same effect as if they had been part of the treaty.

Thus the conference, while admitting the conciliatory disposition of Holland in giving up what they themselves had secured to her, conceded nothing. They insisted on the instant execution of the provisions regarding territory, to which Holland had agreed only

as part of a whole, and which they had no right, in a question with Holland, to separate from the rest of that whole. They would not even negotiate with Holland in regard to the other disputed points. They insisted that they should be held as matters finally settled, and turned her over to Belgium to obtain such alterations as Belgium might be disposed to grant; Belgium at the same time being told that, if she resolved to refuse all change, the five powers would support her in that resolution, and carry through the treaty as it already stood. In June of the preceding year, Belgium had been placed in nearly the same situation. Belgium had demanded alterations on conditions to which Holland had acceded, and which the conference had pledged itself to Holland to enforce. The conference had declared that the concessions which Belgium demanded might be made the subject of subsequent negotiation between its government and Holland, but that, in the mean time, the conditions must be accepted in the form in which Holland had accepted them, and without such acceptance there could be no recognition of Belgic independence, or a Belgic king. The conference was now saying to Holland, that she might negotiate with Belgium changes in the new conditions which Belgium had accepted, but that, in the mean time, they must be agreed to in the shape in which the conference had put them. But on the former occasion, did the conference use coercive measures to carry through this resolution, and to compel Belgium to execute a treaty containing articles which she might afterwards attempt to modify by negotiations with Holland?

No coercion was used; even the threat of refusing to recognize her independence was not executed. On the contrary, the determination to make her accept the concluded terms, in the mean time, was abandoned; the changes which were to be obtained voluntarily from Holland by subsequent negotiation, were introduced, at the request of Belgium, and in defiance of Holland, as alterations in the original agreement. The two countries had now changed places, with this difference, that Holland in what she demanded, was asking only part of that to which she was entitled under the formal acts of the conference itself. If points of dispute, in the one case, were negotiated directly between the conference and the refractory state, why should the same advantage now be refused to the other? If, when Belgium refused to accept settled conditions, and trust to subsequent negotiation with her adversary, concession and arrangement were found compatible with these conditions, how was it that, when Holland came to stand, not in the same, but in a much more favourable situation, and to ask, as Belgium had successfully done, that the disputed points should be treated of directly with the conference, the only answer she received was a strict and stern command to obey, and a threat to enforce obedience by the application of military power? Nay, when Belgium was asked to accept the original terms, and leave the points, to which she objected, to subsequent negotiations with Holland, she received the assurance that the five powers would take care to render that negotiation effectual in her favour, and that her acceptance would only be os-

tensible. But no such comfort was now held out to Holland. In regard to the points to which Holland objected, she was to be left at the good pleasure of the Belgians, who had not yet distinguished themselves by reasonableness or moderation. Refractory Belgium had been demanding territory to which the conference itself declared that Belgium had no claim; refractory Holland was only demanding that she should be allowed to remain the mistress of the territory which was left to her, and that Belgian citizens should not possess, in Holland, the rights of Dutch subjects.

On the 25th of July, the Dutch minister stated the objections which Holland entertained against these proposals, and the points in which she was willing still farther to mitigate that opposition, and repeated that he possessed full powers, after the conclusion of a treaty with the conference, also to sign a treaty with Belgium. The principal, almost the only matters now in discussion, regarded the claims of Belgium to the Dutch waters, and other inland communications; and unfortunately they assumed an appearance which rendered them matters of increased importance to Holland. In the beginning of September, the conference issued what was termed a "Theme," containing certain alterations in regard to the disputed points. They seemed inclined to abandon the demand, that Belgium should have a right to carry roads and canals through the Dutch territory in Limburg; and Holland, on the other hand, instead of insisting on the abandonment of the 11th article, which secured to Belgium, as a matter of right, the use of the roads passing

to Germany through Maestricht and Sittard, was willing to agree that there should be secured to Belgium all the facilities desirable for establishing her commercial communications with Germany through these towns, except in cases of paramount and peremptory necessity, and that the tolls on these roads should be levied at a moderate rate only. But the question regarding the Scheldt, which had hitherto been treated as a question between Holland and Belgium, was now converted into an European demand. The 9th article of the treaty of Nov. 1831 bore, in regard to that river, "that the pilotage and buoying of its channel, as well as the conservation of its channels below Antwerp, shall be subject to a joint superintendence, to be exercised by commissioners appointed on both sides for this purpose; that moderate pilotage dues shall be fixed by mutual agreement, and such dues shall be the same for the Dutch as for the Belgian commerce." It was now proposed to declare that, "In what specially concerns the Scheldt, the navigation of that river in all its course, as well in its eastern as in its western branch, is to remain free to the trade and vessels of every nation; and his majesty the king of the Netherlands promises to exact from any vessels, whether they ascend or descend that river, either in going from the open sea to Belgium, or in going from Belgium to the open sea, under whatever flag she may be, only a duty of tonnage, calculated on the capacity of the said ships, without their being ever, whether in ascending or in descending, or on account of this duty, or under any pretext, subjected



to any search, or any examination of their cargo. This duty, which is never in any case to exceed a florin per ton, the ascent and descent included, is to be provisionally fixed at 60 cents per ton for the ships which, from the open sea, ascending to the Scheldt, proceed to Belgium by Batz; and at 40 cents for those which, descending the Scheldt, proceed from Belgium by Batz to the open sea. This tonnage duty will be annually paid by his majesty the king of the Belgians to his majesty the king of the Netherlands, by means of a sum of 150,000 florins, which will serve as a receipt for every ship indiscriminately; and his majesty the king of the Belgians will besides have the faculty of liberating himself for ever from this payment by means of a capitalization." Holland was farther to bind herself to erect light-houses, and to fix pilot-fees to be exacted between the mouth of the Scheldt and Flushing, and from Flushing to Batz, at the same rate that had been fixed in 1829 for the mouth of the Meuse, and to make them the same for all nations. These demands placed the question on a new footing, and introduced a new principle. It is not easy to see why a treaty between Belgium and Holland, should be converted into a means of extorting from Holland concessions in favour of the mediators themselves. This was a demand that the Scheldt should be open to all the nations of Europe on terms which they themselves hereby fixed, and the result of which might easily be, that the trade of every other country might be more favourably situated, in the waters of Holland, than the trade of Holland itself. At all events, the question in this shape being

started for the first time was surely one of sufficient importance to justify anxious and calm deliberation. To make demands in favour of all the flags of Europe, which included those of the five powers, was a strange mode of meeting the unwillingness of Holland to accede to the demands even in favour of Belgium.

The plan now adopted to fix the particular rate led to another difference for the first time. The 9th article of the treaty first provided for the application of the act of the congress of Vienna to the rivers which separate or traverse the Dutch and Belgic territory: it then made certain provisions regarding the Scheldt, and the internal waters between Antwerp and the Rhine, and directed that commissioners should settle definitively the scale of duties, and should likewise agree upon a general regulation for executing the provisions of the present article, including the exercise of the right of fishing in the whole extent of the Scheldt, on the footing of a perfect reciprocity between the subjects of the two countries. "In the mean time, and till the said regulations shall be adopted, the navigation of the navigable rivers and waters above mentioned shall remain free to the commerce of the two countries, which shall adopt provisionally in this respect the tariff of the convention of Mentz, signed March 31, 1831, for the free navigation of the Rhine, as well as the other provisions of the said convention, in so far as they can be applied to the navigable rivers and waters which separate or traverse at once the Dutch and Belgic territory." Holland had agreed, in her proposed treaty of the 30th of June,



that she would provisionally adopt for the Scheldt the tariffs of the treaty concerning the free navigation of the Rhine, as well as the other stipulations of that treaty, in so far as they were applicable to the Scheldt; but this assimilation of the navigation of the Scheldt and the Rhine required, in order to be definitive, a special treaty. By the new proposal, the tariff of Mayence was discarded altogether. The sum of a florin was fixed as a maximum, being greatly inferior to the rate which the tariff of Mayence would have allowed, and it was declared to be permanent. It was pretended that the conference had never meant to apply that tariff provisionally to the Scheldt: that it was to apply to all the other waters mentioned in article 9, but the Scheldt was to be an exception. The article itself contained no such exception. The provisional regulation was to be extended to "the navigation of the navigable rivers above-mentioned," among which was the Scheldt. Moreover, if the tariff of Mayence was not to be applied to the Scheldt, then the 9th article had not provided at all for the interior regulations' to be observed on that river. It directed that the duties should be ultimately fixed by mutual agreement, but, till that agreement had taken place, it left the Scheldt without any provisional rate, if it was not to be found in the stipulation that the tariff of Mayence was to be applied "to the navigable rivers above-mentioned." Holland complained, therefore, that this was a glaring departure from arrangements already proposed and accepted.

The demand of the free use of the internal waters of Holland was

still persisted in. The great objection of Holland to this claim had always been, that these waters were her own exclusive property, any right to which must be voluntarily conceded by herself. Belgium, when once an independent state, might arrange with Holland the terms on which this privilege should be granted; but it was unjust for foreign powers to impose it upon Holland as an essential element in the separation. The treaty of the 24 articles provided, that Belgium, in regard to these waters, should be placed on the same footing with Holland. It was now proposed that she should be placed on the footing of the most favoured nation—coupled, however, with a condition which left the objection of Holland untouched, viz. that Holland should give up all right to regulate the dues on her internal waters, and should be bound to apply to them such a scale as the states bordering on the Rhine might fix for the navigation of the latter river. Holland was willing to treat Belgium on the same footing with the most favoured nation, and according to the existing tariffs, but would not consent that her rights over her own waters should be subject to the control of the powers of the Rhine.

These altered demands had been preceded by much clamour in Belgium, insisting that force should be instantly used, and always founded on this convenient argument, that whatever was useful to Belgium must be granted. It had been preceded likewise by the marriage of the king of the Belgians with a daughter of the king of the French, and France was now no less urgent for military coercion than Belgium. On the 20th of September the Dutch

minister gave in a note, recapitulating the original agreement with the king of Holland—its violation and the new ground taken up by the conference in order to meet the demands of Belgium, and the successive concessions which Holland had since made, while Belgium had not only refused every negotiation, but had begun to increase its pretensions, to reject what the conference had considered just and equitable, and even to abandon, for other and broader demands, the very stipulations of the treaty, on whose instant execution in the other parts she was insisting. Holland had no more to offer; the measure of concession was full. The British plenipotentiary complained that no notice was taken in this note of the altered scheme which has just been noticed, and which was said, at the same time, to have been confidential—forgetting altogether that, when Holland had complained, not long before, of a Dutch communication made in the month of January, remaining unnoticed, the answer had been, that it was thought unnecessary to enter into it, as it was considered to be a confidential communication. On the 25th of September, the conference addressed to the Dutch envoy a series of nine questions, which were answered by him on the following day, and which were intended to repeat the same demands. To their question whether he was authorized to admit, in the treaty which might be entered into with Belgium under the mediation of the five powers, the principle, that the navigation of the Scheldt should be “free to the ships of all nations”, and that those ships should not be subject to any delay, visit, or examination

of cargo, but merely, without distinction of flag, to “a moderate” tonnage duty?—he answered, that his court adhered to the concessions already made on this point in the treaty proposed by it on the 30th June, and to the provisional arrangement, proposed by the conference itself, therein contained. It was asked, whether he was ready to secure to the Belgians the navigation of the intermediate waters between the Scheldt and the Rhine at a rate not exceeding that which might be fixed for the Rhine by the states through whose territory it flowed? The answer was, that Holland was prepared, as the conference had already been informed, to grant to Belgium the use of these waters, on the footing of the most favoured nations, according to the existing tariffs, and as soon as the ratifications of the contemplated treaty should have been exchanged. The conference farther inquired, whether Holland was willing to adopt the 11th of the 24 articles, which secured to Belgium, at all times, and under all circumstances, free communication with Germany, through the Dutch territory in Limburg, which communication was not to be impeded under any pretext? In answer, Holland was willing to agree, that Belgium should be secured in all facilities for commercial communication with Germany through Limburg, especially by the towns of Maestricht and Sittard, except in cases of paramount and imperative necessity, and that the roads leading through those towns to the frontiers of Germany should be kept in good repair, and be subjected, for that purpose, to only moderate tolls. In regard to the 12th article, which gave Belgium the right to

make a road or canal through the Dutch territory, the conference asked, what compensation Holland would offer to Belgium, if this article were suppressed. The Dutch minister answered, that upon this question he had no instructions, but was ready to apply to his government for them.

France, however, was determined to act. Supported by Britain, she had already urged keenly that Holland should forthwith be compelled to submit. The other three courts had hitherto restrained the impatience of these two powers, one of which was identified with Belgium. At a meeting of the conference, held on the 1st of October, the French minister again reverted to the necessity of employing force. He represented that Holland still continued to insist on points which the conference had declared to be inadmissible—a position which might be very true, looking at the position in which the conference had placed itself by ratifying a treaty with Belgium alone, but which did not, in the most distant degree, touch the question, whether reason, and justice, and the rights of Holland as an independent state, did not justify every thing that they refused. They were not entitled, in discussions with Holland, to ask from her any thing that was not fair and proper in itself, without regard to their engagements with Belgium. They could never defend injustice by saying that they had bound themselves by treaty to perpetrate it. The French minister farther represented, that the first thing to be done was, to obtain from Holland the evacuation of the citadel of Antwerp, her occupation of which imposed

on Belgium expensive preparations for defence, and was the principal cause of agitation. He therefore called upon the conference to declare, that, if the citadel of Antwerp, the points adjacent, and other places forming part of the Belgian territory as defined in the treaty of the 15th November, were not evacuated by the Dutch troops, by the 15th of October, they would authorize Belgium to deduct, for every week the occupation should continue after that period, one million of florins from the arrears of the debt due by her before the 1st of January 1832, and next from her share of the capital of the debt. On the evacuation being made, Belgium was to give up Venloo, and the other places occupied by her in territories which, by the treaty, were to belong to Holland. This measure was to be adopted without prejudice to the conference using actual force, if it was not successful, and their right to apply forcible means was therefore expressly reserved. The British minister declared his entire approbation of this proposal. The ministers of Austria, Russia, and Prussia declared, that they joined in disapproving the conduct of Holland in refusing all that had been demanded, and were willing to unite with France and Britain, in order to free Belgium from the payment of arrears due to Holland from the 1st of January 1832; the decision to take effect from the 15th October, then current, that Holland might still have time to estimate the consequences of continued resistance. They stated, however, that they had no authority to demand from Holland the partial execution of a treaty to which it had not acceded, or the evacuation of the citadel of An-

twerp, or to consent to the weekly penalty which was now proposed; and that if coercive measures were adopted by France and England, they could take no part in them. They suggested that the most efficacious proceeding would be, to inflict pecuniary penalties by a decision of the conference which should be unanimous, and which, from being so, would leave to the cabinet of the Hague neither doubt nor hope. They proposed, therefore, that the present critical state of the case should be laid before the courts of Berlin, St. Petersburg, and Vienna, in order to a declaration, that, if Holland did not forthwith either accede simply to the twenty-four articles, or return an affirmative answer to all the questions which had been put on the 25th of September, then these three courts would join in relieving Belgium of the arrears due to Holland from 1st January 1832, and, if this did not produce the intended effect within a given time, in cutting off a million of florins per week from the debt owing to Holland—and this, without prejudice to the special measures which France and England might judge indispensable, in so far as they were concerned, if the weekly forfeiture should prove ineffectual. To avoid the delay which might arise from the distance of Vienna and St. Petersburg, they agreed to be bound by the decision of the court of Berlin alone. The secretary of legation would be dispatched to Hamburg by a steam vessel that very day; the answer would be received in ten or twelve days, and thus the proceedings of the conference would be unanimous. The British minister, however, while he admitted the great importance

of unanimity, would not consent to the proposal, which seemed to him not calculated to lead to any other certain result than new delay. He was convinced that, in the actual state of the negotiation it was necessary, for the maintenance of the peace of Europe, that some decisive measures should be adopted by the Powers who had ratified the treaty of November, and guaranteed the execution of its provisions. The tendency of the present proposition was, to renew negotiations, which the experience of many months, and the confession of the conference itself, had proved to be barren, and to renew them, too, not with the united weight of the five courts represented in conference, but by a separate proceeding on the part of some of those courts, and this, after the experience gained by those very courts themselves of the inefficacy of their efforts to carry with them, by the influence of their councils, the determinations of the cabinet of the Hague. The French minister of course concurred in this opinion, and declared, at the same time, that his government reserved to itself the full power of acting for the execution of the treaty, and the maintenance of the rights resulting from it, and of following that course which the tenor of its engagements, “and the interests of France” might seem to demand. The king of the French, too, in the speech with which he opened the session of the Chambers, stated, that compulsion had been used towards Holland, because it was required by the dignity and the interest of France.

Belgium continued to insist for instant execution by the application of military force. A long note

of the Dutch minister, on the 18th October, was directed to justify the conduct which Holland had pursued, to show that the demands so obstinately persisted in were contrary to justice, and her rights as an independent nation, and that, throughout the whole of the arrangements, Belgium alone had been looked to; but it held out no hope that the threat of pecuniary penalties would induce Holland to comply with stipulations which she deemed ruinous to her own best interests. The powers of the Belgian minister, moreover, to negotiate separately with the Dutch envoy had been limited to a fixed time; that time was about to expire, and the Belgian government had declared that, after its expiry, it would listen to no proposal of negotiation which was not preceded by the territorial execution of the treaty. On the 22nd of October, therefore, England and France, without the concurrence of the other three powers who were joined with them in the settlement of the Belgian question, entered into a convention to direct against Holland measures of positive hostility. By this convention it was agreed, that the king of Holland should be called on to enter into an engagement, on or before the 2nd of November, to withdraw his troops by the 12th of the same month from the territories which the treaty had adjudged to Belgium. A similar demand was to be made on the king of Belgium in regard to the territories which the treaty secured to Holland. If the king of Holland should fail to enter into this engagement by the 2nd of November, France and England were to lay an embargo on all Dutch vessels in their respective harbours, and

issue orders to their cruizers to seize all Dutch vessels found at sea; and a combined French and English fleet was to be stationed off the coast of Holland. If, again, the actual evacuation by the king of Holland did not take place by the 15th, then a French army was to enter Belgium in order to enforce it, but its operations were to be limited to the capture of the citadel of Antwerp, and the forts and places dependent on it, which were immediately to be delivered over to the military authorities of Belgium, while the French troops were to retire within the French territory.

The court of Prussia, in the mean time, by whose decision Austria and Russia had undertaken to abide, transmitted to the Hague a final statement of what Holland ought to concede on the disputed points. On the 23rd of October, the Dutch foreign minister announced to the envoys of Austria, Prussia, and Russia, that his master acceded to it, with a small number of modifications which would not prevent a final settlement. These were marked upon it, and it was sent to London to be laid before the conference. While an answer was waited for, the envoys of France and England at the Hague made, on the 29th October, the demand provided for by the new convention. The Dutch foreign minister returned a negative answer. He stated, that to effect the evacuation before the exchange of the ratifications of the treaty would be inconsistent with the whole course and meaning of the negotiations. It was besides the imperative duty of Holland, not to give up, by surrendering the citadel of Antwerp, the security which it held,



for obtaining equitable terms from Belgium. He referred, likewise, to the acceptance by Holland of the final Prussian project, which was by this time in London, adding, that this state of things, instead of requiring intermediate and partial measures, seemed to require only a few days to put the last hand to the work, and remove all difficulties by the signature of a treaty of separation. The 2nd of November having thus elapsed, a fleet of French and English men of war sailed, on the 4th of November, for the Dutch coast, to blockade the Scheldt, and seize Dutch merchantmen. On the 6th, the British government issued an order in council laying an embargo on all Dutch vessels in British ports, and prohibiting British vessels from clearing out for any port in the dominions of his Dutch majesty. The latter provision was subsequently limited to Holland itself, by an order in council of the 3rd of December, British vessels being allowed to clear out for the Dutch possessions in the East and West Indies, Africa, and America. Great apprehensions were entertained on account of British vessels and cargoes in the Dutch harbours. But the king of Holland did not retaliate. On the 16th, he issued an order bearing, that French and English property should be respected; that, in consequence, three days should be given to French and English vessels to quit the king's dominions; and vessels, which might afterwards present themselves in the ports of Holland, were to be warned off, without any detention or embargo whatever. This order would be recalled, so soon as the order in council of the 6th of November was revoked by the English ministry.

All this was done after the English government was in possession of the Prussian proposed treaty. The Dutch foreign minister declared in the States-General, (Dec. 18) that he knew from a source, the authority of which was above all doubt, that the Prussian project, with the modifications required by Holland, was transmitted to the conference, in a confidential form, on the 26th October. It does not appear, however, to have been officially communicated till the 9th of November, when the Dutch envoy transmitted it, with the remarks of Holland to Earl Grey. On the 11th his Lordship answered, that the communication contained nothing more than an offer to accept as the basis of negotiation the project which had been delivered at the Hague by the plenipotentiary of Prussia, which project appeared to be open, in some of its details, to positive objections, and in others, to furnish grounds of difficulty and doubt, requiring farther explanation and discussion. The British government, moreover, had commenced a course of action which could not be suspended; and the surrender of the citadel of Antwerp, with its dependencies, must be an indispensable preliminary to any farther negotiation. The Dutch minister informed Earl Grey, that his lordship was mistaken in supposing it was tendered as a basis for negotiation. It had been tendered as a treaty, no longer to be negotiated, but to be signed within four and twenty hours, should all the parties interested be equally anxious to come to a conclusion. The court of Berlin had left a few points blank, but they would all have been settled by a few hours' discussion.



Holland, although surprised at seeing the Scheldt unexpectedly made an European question, and mediators using their office to forward their own interests at the expence of one of the parties, acceded to what, in this respect, the court of Berlin had proposed. Nothing remained to be done but to settle the amount of the tolls. The British government stated on the 27th of Oct. that it thought the rate fixed by Holland too high; and Holland consented to reduce them. As to the transit by Limburg, the British minister himself had thrown out the suggestion, that the difficulty might be got over by giving to Belgium, in the territorial arrangements, a road to the South of Maestricht. This had been communicated to the court of the Hague, and its consent had been obtained. Such had been the state of matters on the 9th of November; so that the Prussian treaty had been matter of deliberation for a fortnight before, and it does not appear that any objections had been stated to any point on which Holland did not yield. The British government, however, maintained, that although Holland had agreed to reduce the duty, it had not yet stated what was to be the amount of the reduction. The rate demanded by the conference could not be departed from without the consent of Belgium. Thus delay would be required, and not one day's delay could be given. The case was the same with the proposed new road to the South of Maestricht. Belgium must be consulted; and, in the mean time, Antwerp must be surrendered. Earl Grey added, that, if the question of the navigation of the Scheldt had been treated as an

European question, it was so only in consequence of the claims of the Belgian government having been founded on the treaty of Vienna. Such a statement, however, did not meet the objection, that this European shape of the question formed no part even of the treaty of the 15th of November; and still less did it meet the grave objection, that the five powers, in effecting the separate existence of Belgium, were imposing upon Holland stipulations in favour of themselves. It being thus determined that, however near to each other the parties had now approached, and however certain might now be the prospect of an amicable termination, it should be preceded by Holland giving up the citadel of Antwerp, France and England proceeded of themselves, to enforce the terms which the conference, along with Belgium, had agreed to impose upon the Dutch. It was not an expedition to compel Holland to execute a treaty, for she was no party to any treaty. It was an expedition to compel her to submit to a treaty which these powers had framed for her, in conjunction with her enemy. It was not undertaken by the five mediating powers, who alone had authority under the proceedings which had brought them into the dispute; it was undertaken by two of them alone, while the majority were so far from making these two their representatives, and the depositaries of the powers of all, that they had expressly declared they would not concur in the measures which the minority was about to adopt.

From the commencement of the disputes between Holland and Belgium, the city of Antwerp had

been in the possession of the latter, but the citadel was still occupied by the former. The citadel commanded the navigation of the river, and the town was every moment at its mercy. Below the town are other forts on both sides of the Scheldt; particularly Lillo on the right bank, and Liefkenshoek on the left, which, like the citadel, were held by the Dutch troops. The citadel lies above Antwerp, on the same side of the river, and is separated from it by an esplanade varying in breadth from 50 to 200 yards. It was originally built by the Duke of Alba, during the attempt of the Netherlands, in the sixteenth century, to throw off the yoke of Philip the Second of Spain. It was constructed by the most celebrated engineers of the day, and had long been reputed one of the strongest fortifications in Europe. Its exterior presented a pentagon, surrounded by bastions, all of them defended by ditches of great width and depth. In its interior were accommodations, partly bomb-proof, for a large garrison, and it contained within itself an abundant supply of water. On the west it was guarded by a strong out-work, and the broad and deep Scheldt, the waters of which supplied the ditches; and were prevented, by means of sluices, from retiring with the retiring tide. On the land-side, the only approach was defended by an out-work called the lunette of St. Lawrence. The point from which attack was most easy, was the esplanade between the citadel and the city; but if that position were made use of for purposes of attack, the city was necessarily exposed to destruction from the defensive fire of the citadel. The Dutch garrison con-

sisted of between four and five thousand men, commanded by General Chasse, a veteran and determined officer, instructed and resolved to defend himself to the last. The Dutch government, to meet the possibility of France and Belgium having ulterior objects, likewise brought its army into the field, and called out the land-sturm or general militia, for the defence of the interior. For similar reasons, Prussia marched a corps of observation from Westphalia, across the Rhine, to the right bank of the Meuse.

On the 15th of November, the van-guard of the French army destined for the siege entered Belgium at Mons, commanded by Marshal Gerard, who was accompanied by two of the sons of King Philip. The army was much larger than was required for the mere reduction of the fortress, being composed of such a force as would be able to meet any attempt on the part of the Dutch to raise the siege. It consisted of five divisions of infantry, amounting to nearly 50,000 men, with 6,000 cavalry, and a strong battering train. One division, under General Tiburce Sebastiani, was stationed on the left bank of the Scheldt, to watch, and, if possible, to attack, the inferior forts upon that side, so as to deprive the Dutch of the navigation of the river; but these forts had been placed out of danger by cutting the dykes, and surrounding them with water. On the 30th of November, the besieging army having taken up its position before the citadel, and being ready to commence its operations, Marshal Gerard summoned General Chasse to surrender. The principal object of the communication, however,

was, to ascertain the terms on which the city would be spared. The Marshal stated in his summons, that he intended to confine his attack to that part of the citadel which was not opposite to the city; that he would not avail himself of the advantages afforded by the weakness of the fortress on the side of Antwerp, and by the shelter of the houses; and he therefore expected that the city would not be exposed to the fire of the fortress. Part of the works of the city had been occupied indeed by French, instead of Belgian troops; but this measure had been adopted in order to prevent occurrences which might justify the citadel in retaliating. General Chasse, while he announced his determination to hold out until his means of defence should be exhausted, declared that he would consider Antwerp and its fortifications neutral, so long as no use was made of them, or of those exterior works depending on them which might be directed against the citadel, or its outwork the tête de Flandres on the opposite side of the Scheldt. It was to be understood likewise that the free communication with Holland by the river was to continue uninterrupted. The Marshal and the General differed as to what works should be reckoned to belong properly to the fortifications of the city. The former insisted that an outwork called the lunette de Montebello, which could be used very efficiently against the citadel, and likewise the counter-guards, and every thing which did not form part of the proper enceinte, could not be treated as belonging to the fortifications of the city. He would, therefore, fire from them, if he thought fit;

and he appealed, for his right to do so, to the sieges of 1746 and 1792, in which the city, he said, had been considered as neutral, by mutual consent, without the besiegers giving up the right of carrying on their operations from the exterior works. Neither would he agree that the navigation of the Scheldt should continue uninterrupted, though he seemed willing to consent, not to make use of the outworks of the city against the tête de Flandres. On the other hand, General Chasse maintained, that neither the fortifications of Antwerp, nor the detached works and forts, could be justly used against the citadel, if Antwerp itself was to be saved: that these works had been constructed, not as a means of attack against the citadel, but solely for the defence of the city: that they had always been treated in this light by the military authorities of the city; and that the first shot fired from them would be considered a declaration that Antwerp itself was taking part in the siege. He still insisted, likewise, on the free communication with Holland by the river. Thus these communications were far from making it certain that the city was to be spared. Numbers of the inhabitants, though in the depth of winter, hastened from its walls, carrying with them their most valuable property. Others deposited their goods in cellars and vaults. The citadel, however, did not, during the siege, direct a single shot against it. The few lives which were lost within its walls, were lost by the fire of the French. Its safety was probably owing to the consideration that General Chasse, if he had fired upon the city, even on sufficient

provocation, would thereby have removed the only obstacle to the French Marshall's attacking him from a side on which defence was most difficult.

The French opened the trenches towards fort St. Lawrence. They carried on their approaches against that strong outwork of the citadel without much serious opposition either from the fire, or from sorties of the besieged, and began to think they would find their task as easy as they had anticipated. They opened their fire on the 4th of December, from ten batteries, against the out-work of St. Lawrence, as well as the body of the citadel, and under cover of this fire they pushed on their works with great activity. Night and day, between sixty and seventy pieces of battering artillery and howitzers rained shot and shells on the devoted citadel. General Chasse, too, now opened his fire, and returned shot and shells with equal vigour. Every day presented a repetition of the preceding—an unremitting mutual cannonade, occasionally diversified by sallies in which part of the works of the besiegers were destroyed, while the fire from the bastions dismounted their guns, and occasioned considerable loss among their men. The cannonade continued for ten days without intermission, but the citadel was necessarily the greater sufferer, in consequence of its being the single object of the common fire of all the numerous batteries of the enemy. General Chasse, in one of his dispatches, described the bombardment as unequalled in history. There were sometimes no fewer than fourteen bombs in the air at once. Scarcely a building in the citadel remained standing. Its surface

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presented one mass of ruins. Even the barracks, powder magazines, and casemattes, which had been considered bomb-proof, were penetrated by the projectiles of the besiegers, blown up, burned down, or battered to pieces. The posterns, and the communications between the bastions came to be the only places of safety for that part of the garrison which was not at the guns. The French had succeeded, too, in blowing up the sluice which retained the waters of the Scheldt in the ditches, and the latter were left nearly dry at every ebb. The garrison, however, continued its resistance, and kept up its fire with undiminished vigour, the French officers themselves admitting that the defence was conducted with the greatest valour and skill. An attack on fort St. Lawrence was repulsed; and it was found necessary to erect additional batteries, as well as to sap it. On the 14th of December, the French sprung three mines under its salient angle. A practicable breach being thus effected, they immediately made an assault, and carried the fort, taking prisoners between sixty and seventy of the small detachment of Dutch troops which had been left to defend it. The greater part of the men had previously been withdrawn into the citadel, and the guns had been dismounted and removed.

The fort St. Lawrence was now added to the means to be used against the main body of the citadel. A great number of new batteries were erected, and the works were pressed forward day and night, till the counterscarp itself was undermined. Still, however, the fire of the garrison was maintained with as much constancy

[2 B]

against this latter decree, adding, that the press had already done great harm by its intemperance, and that Baden was already viewed in a very equivocal light by the other German governments.

The same apprehensions had been entertained in Bavaria, where they were greatly increased by the course of events in Baden. Rhenish Bavaria, in particular, had sent forth various periodical publications which alarmed all the members of the diet; and its agitators had begun to create political unions, for the purpose of realizing their peculiar political reveries. The government issued a proclamation prohibiting these associations as being contrary to the constitution; but its influence was very limited, and the democratical press openly resisted it. The diet interfered. By a decree of the 13th of March, it declared that such publications tended to diminish the dignity and security of the confederation as well as of the individual states, to endanger the peace and tranquillity of Germany, to loosen the bonds of confidence and attachment between princes and people, and annihilate the authority of governments—to attack the inviolability of sovereigns,—threaten persons and property by appeals to force,—instigate to commotion,—introduce into Germany political disorganization and anarchy, and form and propagate associations dangerous to the state. In conformity, therefore, with the provisional law for the press which had been adopted by the diet on the 20th of September, 1819, it ordered that three journals, two of which were published in Rhenish Bavaria, and a third at Hanau, should be suppressed, and the

editors prohibited from publishing, during five years, any similar journal in any state of the confederation. The governments of Bavaria and Electoral Hesse were required to notify to the diet within four weeks the due execution of this order. Neither the government of Bavaria nor of Hesse made any resistance to the order as an interference with their constitutional rights. The popular agitators forthwith determined to have recourse to the excitement of large meetings convoked in the open air, to rouse the enthusiasm which in Germany is so easily awakened, and which is by no means least vivid when its objects are most vague and undefined. The old castle of Hambach, in Rhenish Bavaria, not far removed from the French frontier, was selected as the first place of assembly. The Bavarian government forbade the meeting. Then it changed its mind, and revoked the prohibitory rescript. The convocation was accordingly held on the 27th and 28th of May. The persons present amounted to about 20,000. It neither was, nor had ever been intended to be, a Bavarian meeting. Multitudes flocked to it from Electoral Hesse, from Nassau, Rhenish Prussia, Baden, and Wurtemberg; and its character was still better marked by the presence of Polish refugees, and French national guards. Patriotic songs were sung; patriotic speeches were delivered; it was resolved to hold other meetings of the same kind; and the solemnity concluded with a repast laid out on the open plain. The speeches which attracted most notice, and were most loudly applauded, were of a nature to excite the fears of all regular govern-

ments. Amid their smoke and heat nothing could be distinctly traced except democracy and revolution. Insurrection and civil war were treated as very easy and very desirable things, which would not fail to place the orators, and enlightened lovers of justice and liberty, like the orators, in their natural place at the head of society. One of them denounced all the German princes as traitors. He brandished the sabre, presented to him by his admirers, when he had been compelled to give up the publication of a seditious periodical journal, crying out "Liberty and Equality." Songs and toasts were given in the same spirit; and the more moderate politicians, who had expected good from the meeting, now repented that it had ever taken place. The Bavarian government, which had placed itself in an unpleasant relation to its confederates by sanctioning the solemnity, now issued a rescript strongly condemning it and all assemblies of the same kind, denouncing the "popular seductions, seditious illegal fraternizations, and symbols of criminal opposition," by which it was stated to have been characterized—and declaring its determination to employ all the means necessary to support its constitution, and its relations to the Germanic confederation.

The diet, however, which had already been concocting uncontrolled measures against the spread of political discussion, had now found a pretext for proceeding with them, which it was determined should not pass unimproved. It found the origin of all the evils which it dreaded, in the legislative bodies of the constitutional estates, and it determined to render their efficiency subordinate to its own supremacy. In

Baden, the law in favour of the liberty of the press had been carried, in a great measure, by open threats of refusing the supplies. A similar spirit of resistance had been manifested by the estates of Hesse Cassel in relation to the army; and those of Darmstadt had been involved in an altercation with the grand duke, in consequence of having voted an address expressive of their uneasiness at seeing certain publications announce, without censure or contradiction, the approaching interference of the diet. The diet resolved, therefore, to attack directly the powers exercised by the legislative bodies, as being inconsistent with the obligations by which every member of the federal body was bound to its companions. Austria and Prussia took the initiative, representing that the fermentation in several countries of Germany now arrived at such a height, that it not only menaced the internal tranquillity and the safety of the different states, but even the existence of the whole confederation, the permanent connection of the German States, the immense number of journals and revolutionary pamphlets which inundated the country, the abuse of speech even in the chambers of the states, the daily progress of a system of propagandism, which did not blush to appear in open day,—and that the ineffectual attempts of each particular Government to repress these disorders, had impressed on their majesties the conviction that the revolution of Germany was advancing at a rapid pace to maturity, and would unavoidably burst forth, if longer tolerated by the confederations. They condemned the conduct of the chambers in the constitutional



states, both as their proceedings regarded their own princes and the confederation, declaring the tendencies which had been given to these institutions to be most deplorable; and they insisted on the absolute necessity of protecting the confederation against the encroachments of legislative bodies, and of the press. If the measures about to be proposed should disappoint their expectation; "if Germany should be doomed not to see the revival of order and internal tranquillity, and if the authority of the resolutions adopted by the diet by virtue of the federal laws, for the maintenance of those greatest of all blessings, should incur the risk of being disavowed; then, their majesties, the emperor of Austria and king of Prussia, in their solicitude for the destiny of the states united in the confederation, which they do not separate from the care they bestow on their own, justly appreciating the danger of seeing the whole social system of Europe shaken by anarchy, and faithfully fulfilling their duties to the confederation, are firmly resolved to employ, at the invitation of one or all of the confederate states, every means at their disposal for the maintenance and execution of the federal constitution, its important objects, and the resolutions of the diet, to which they have served, and will serve, as bases,—in short, to avert every attack upon the confederation and its members, from whatever quarter it may be directed, so that the punctual and exact execution of the resolutions of the diet may be secured, with that degree of certainty which alone can guarantee the tranquillity of our common country." On this preamble, Austria and Prussia proposed to the diet a decree to en-

able the different governments to resist the encroachments of their legislative bodies. The provisions of this decree were deduced from those articles of the treaty of Vienna that fixed the relation in which the different states stood, and the duties which they owed to the confederation. That act declared that, even in states which should receive legislative bodies, all the powers of the state must still remain united in its head, and that the sovereign could be limited by the co-operation of these assemblies only in the exercise of certain rights. Therefore it was now proposed to enact, that every German sovereign, as a member of the confederation, was not only authorized to reject, but that the very object of the confederation rendered it his duty to reject, all petitions of estates which might have a contrary tendency. The 25th and 26th articles of the same federative act had declared, that, though the maintenance of internal tranquillity belonged only to the government of each country, yet, to maintain the internal security of the whole confederation, all might co-operate to restore order, in case of resistance being offered to a government by its subjects, or of open insurrections, or dangerous movements in several of the states; that if a government, so resisted or threatened, should demand the assistance of the confederation, the latter was bound instantly to grant that assistance; and if the government of a country, in which insurrection had broken out, was notoriously unable to suppress it, and was hindered, at the same time, by circumstances, from applying for assistance, it was the duty of the confederation, even in the absence of any application,

to interfere for the re-establishment of order. It was now to be enacted, that these provisions should be considered applicable to all cases in which legislative assemblies should attempt to make the granting of the taxes, necessary for the government, depend directly or indirectly on the accomplishment of other objects; for these assemblies, it was said, could not place the internal legislation of a state in opposition to the object of the confederation, nor impede the fulfilment of the federal duties incumbent on the sovereign, particularly the levying of the necessary supplies. The federal act had farther provided, that in those countries where the publicity of the debates of the estates was guaranteed by the constitution, the free expression of opinion should not be used, either in the debates themselves, or in the publication of them by the press, in a manner calculated to endanger the tranquillity of the particular state, or of all Germany, and that provision should be made for this in the regulations of the Chambers: therefore the governments of the confederation now bound themselves severally and collectively to each other, to adopt and carry into effect, as they had hitherto been bound to do by their federal relations, proper measures to prevent all attacks on the confederation in the assemblies of the estates, and to repress such attacks, each according to the forms of its own constitution. It was farther to be declared, that the interpretation of the federal act belonged to the confederation alone, to be exercised through the diet, its legal organ; and, in order to secure the dignity and rights of the confederation, and to facilitate in the several

states the maintenance of the constitutional relations between the government and these assemblies of states, a committee was to be appointed by the diet, to make itself constantly acquainted with the proceedings of the estates in the German confederate states,—to take into consideration all proposals and resolutions, contrary to the obligations towards the confederation, or the rights of the government guaranteed by the federal compact, and to give notice of them to the diet, which, if it judged the matter deserving of attention, was then to consult with the governments interested. The committee was to be appointed for six years, at the end of which its continuance would be taken into consideration.

This decree was followed, on the 5th of July, by another which laid down certain rules of political surveillance to be observed by all the states. By this ordinance it was provided, that the confederated governments should exercise the most rigid watchfulness over all persons in their respective countries, who, by public speeches, writings, or actions, might give reason for suspecting that they were engaged in seditious undertakings,—should make reciprocal communications of all discoveries respecting any secret associations, and the persons who became members of them,—and should mutually assist each other with the utmost promptitude in all measures necessary for tracing them. It was declared, that no periodical writing, or other political work, of less than twenty nine sheets, written in German, and appearing in a state not included in the confederation, should be introduced in any of the states of the

tion without the previous authority of the government. All associations for political objects, or calculated under whatever name to serve political purposes, were universally interdicted. All popular assemblies, likewise, and popular festivals, except such as were celebrated in observance of ancient custom, were prohibited, unless sanctioned by the permission of the competent authorities, and every attempt to organize or to call such meetings, whether verbally, or by writing, was declared to be punishable. Even when they should be permitted, the delivery of political speeches, or the procuring signatures to addresses or resolutions, was made criminal. Foreigners, as well as natives, were expressly forbidden to display flags or colours, to plant trees of liberty, to wear cockades, or other distinctive marks, except those of the country to which they belonged. A rigorous superintendence was to be exercised over all foreigners who should take refuge within the states of the confederation in consequence of political offences committed at home; and each state bound itself to deliver up such political offenders, being subjects of another confederated state, as might have fled to it in order to escape punishment. The diet re-enacted, too, the provisions of 1819 in respect to the universities, the governments engaging themselves reciprocally to expel from the universities, and other public institutions, all teachers who should abuse their situations to inculcate doctrines contrary to public order, or subversive of the existing order of things. The existing laws against secret associations in the universities, and especially against the universal Burschenschaft, which was

supposed still to exist, were to be rigorously enforced. Finally, the governments of the confederation pledged themselves to support each other by prompt mutual military aid. These regulations were immediately followed by an edict of the diet, suppressing two of the journals published in the grand duchy of Baden.

These decrees clearly went to deprive the legislative bodies in the constitutional states of their independence, and to subject them to external control in some of their most important functions. The diet consisted of princes; it was not a body in whose constitution any class of the citizens had a share; it was the sole interpreter of the act which regulated its own powers; and it claimed the prerogative of restraining legislative chambers in every thing which it might deem contrary to its dignity or its rights. The decree might be deducible, in all its parts, from the federal act; but this consequence only tended to place that act and the bodies whose independence it impaired in mortal opposition to each other. The decrees, however, were unanimously adopted on the 28th of June by the ministers of all the members of the confederation. Austria and Prussia could not possibly have carried it by their own votes; but some of the constitutional sovereigns were willing to be freed from the shackles of chambers which had been forced upon them; and others, more insignificant, could not be expected to resist the influence and example of their powerful neighbours. The decrees were duly promulgated by the different governments, the only political authority which the diet could recognize; but the promulgation did not take place

without loud remonstrances, and the display of much discontent, especially in the constitutional states. In Hesse-Cassel, where the chambers had been suddenly dissolved, partly because they were urging a law regarding the press, and partly because they threatened an impeachment of the elector's ministers, the standing committee protested against the promulgation of these resolutions of the diet, on the ground that they violated the constitution of the electorate; and could not be made legally binding without receiving the sanction of the estates. In Hanover, the communication of the resolutions to the chambers called forth an address which in reality approved of them, but contained a reservation regarding the interior affairs of the kingdom. "The states of Hanover agree," said they, "that it is not to them, but to the diet, that the interpretation of federal laws belongs; but still, called together as they are to watch over the constitution, it is their duty to examine the sense and meaning of these resolutions, more especially as they operate on representative governments. The representative constitutions already existing are guaranteed by the fundamental laws of the confederation from all changes except such as shall be effected by constitutional means; and as the states submit voluntarily to what the fundamental laws determine in regard to their rights, so they reckon on the justice of their illustrious sovereign for the maintenance of that principle in its full tenour. The states will ever acknowledge that the whole sovereign power is vested in the king's person, and that he is bound to the co-operation of the states for

the exercise of certain rights only. They consider themselves obliged to enable the king to fulfil his federal obligations, and they look upon it as fortunate, that in the event, which they hope will never happen, of the internal tranquillity being disturbed, either by the resistance of their fellow citizens, or the propagation of seditious doctrines, or the breaking out of open sedition, the confederation would be obliged, on the demand of the sovereign, to lend him prompt assistance. They consider as a still greater advantage that, in case of the government being notoriously unable to put down insurrection, and forced to call upon the confederation, it would be prepared to do so even though not called on. The legislature of every country should have due regard to the decrees of the most illustrious diet, when confined to their proper limits. But the States of Hanover must declare that the diet cannot hinder his majesty from confiding the management of the interior affairs of the kingdom to them; and the word petition in the resolutions of the diet is, therefore, synonymous with proposition. They are therefore convinced that the diet had no intention of interference with their deliberations, which, beside, his majesty would not permit." The Grand Duke of Weimar, in the decree by which he announced these provisions to his little state and its small parliament, while he admitted that they were intended and required to protect the internal security of Germany, declared that his duty to his own subjects called on him to testify openly that they had in every particular conducted themselves with respect to the laws, such a

ment to himself and the Grand Ducal family, as to convince him, that, though the measures of the diet were absolutely necessary to secure the tranquillity of Germany, yet in his dominions nothing could be found to call for them. In whatever part of the country he had resided, he had found the same affectionate loyalty which had always distinguished the inhabitants, and with respect to the university of Jena, the students continued to distinguish themselves by diligence and orderly conduct. In Wirtemberg and Bavaria numerous addresses were presented to the government, praying that it would refuse its sanction to the decrees of which it had already approved by its minister at the diet. The addresses, moreover, were generally couched in language which only showed more clearly the design of resisting the federal authorities, or insulted and provoked the leading members of the federal government. An address from Rhenish-Bavaria spoke thus: — “What have we to do with Austria, that old, musty, worm-eaten, hollow trunk? It will be dashed to the ground by the worms of time, and in the storm will crush all those who seek protection under its boughs. What advantages can absolute Prussia offer to constitutional Bavaria?—that treacherous cane which pierces through the hand that thinks by leaning on it to find support. How can Prussia protect the rights of Bavaria?—that red hot Moloch to which, with heathenish madness, a father must offer his only child. What protection would be to us that deformed iron Colossus with feet of clay? O King! thy people adjures thee aloud, close not the unhappy alliance with those abso-

lute powers,—drive the tempter back,—trifle not with the affections of the Bavarians;—quit not thy people in the hour of trial and of danger, that thou mayest not, when too late, have to repent of having thrust them from thee,—that when, hereafter, thou shalt become disgusted with being the vassal slave of the foreigners, thy people may not turn away from thee when thou shalt crave its aid, and may not say, ‘Seek help from them in whom thou hast more confided than in thy Bavarian people.’” These addresses were in general returned to the parties who had taken the trouble to prepare them, with no other answer than a reprimand of the machinations of an evil-disposed faction, and the premeditated propagation of groundless apprehensions, or an advice to the petitioners to confine themselves within their proper sphere of action, and lay down their spirit of unfounded opposition and presumptuous contradiction. In Baden, the university of Freiburg was closed for a while, and re-opened after having received a new organization. In Hesse-Darmstadt, when the estates assembled in the end of December, the first business brought before them was a motion to declare that the decrees of the diet went beyond its powers, and to pass a resolution pledging the chambers to maintain and exercise their constitutional right without regard to the obnoxious regulations.

In POLAND, the suppression, during the preceding year, of the premature and unaided insurrection by which it had attempted to recover its independence, was naturally followed by measures of severe precaution on the part of Russia. The contest had been



too severe, and, at some points of its progress, had been accompanied with too much danger, to render it probable that the Emperor would allow former relations to continue, or former privileges to be preserved. So soon as all military resistance had ceased, and the remains of the scattered insurgents had sought refuge beyond the frontier, an amnesty was granted, which, while it excluded from mercy the ring-leaders and most active partisans of the rebellion, whether in the council or in the field, gave security to the great mass of those whose safety would have been compromised, if a system of universal vengeance had been adopted. Under its protection, the Polish troops, which had fled into the neighbouring states, returned to their country, with the exception of obnoxious individuals to whom the amnesty did not extend. Even small pensions were allotted, in the mean time, to such of the rebel officers who had not quitted the kingdom, and were not reached by the exceptions in the act of pardon. But it was determined, likewise, to annihilate, if possible, that state of existence as a separate nation, enjoying its own constitution, and having nothing in common with the proper provinces of the Russian empire, which was thought to have kept alive the wish for national independence. The Congress of Vienna had provided, that Poland should be governed by a constitution of its own; that separate constitution had been granted by Alexander; and alleged violations of its provisions were among the most prominent of the causes assigned for the insurrection. That constitution was now to be abolished, and Poland was to be amalgamated

with Russia. By an ukase issued in the month of February, the Emperor declared his imperial will that Poland, with a separate administration, should become an integral part of the empire, "and its inhabitants form but one nation with the Russians, bound together by uniform and national sentiments." An organic statute of the same date specified the provisions of this new incorporating union, and the amount of them was, that Poland was in future to be governed merely as any other Russian province. It was declared that "the kingdom of Poland is for ever to be re-united to the Russian empire, and to form an inseparable part of that empire, having a particular administration conformable to its local necessities, as well as a civil and military code." There was to be but one coronation of the Emperor of all the Russias, and King of Poland. It was to take place at Moscow in the presence of deputies from Poland, "as from the other parts of the empire." There was to be no longer a separate Polish army; Poland was to contribute its due proportion, with the other provinces to the pecuniary wants, and the military defence of what was thenceforth to be a common country. The Catholic religion, as being that of the majority of the Poles, was to be, in an especial manner, an object of the care of the state; but all religions were to be permitted, and the Catholic and Greek churches were to retain respectively their separate properties. The administration of the kingdom was vested in a council of administration, a council of state, and various other subordinate authorities, in the same manner which the government of the o



provinces was already provided for. All previous laws and instructions contrary to the provisions of this statute were expressly repealed; and as this statute merely provided various commissions of imperial administrators and advisers, the sovereign and legislative power residing exclusively at St. Petersburg, the Polish diet and constitution, such as they were, were now at an end. Other measures were adopted for the purpose of securing the same object of destroying the "nationality" of Poland. The soldiers and under-officers who had served with the insurgents, whether they had been taken prisoners, or had returned into the kingdom since the conclusion of the contest, were incorporated with the Russian regiments. In this there certainly was policy, and the measure might be useful both to the men themselves who were now in destitution, and to the peace of the country, which might otherwise have been disturbed by bodies of starving and disbanded soldiery. But none of these characteristics belonged to a vindictive ukase, by which 5,000 Polish families were ordered to be transplanted from Podolia to the Steppes to be there enrolled in the

military service. They were to consist of the families of persons who had taken part in the insurrection, or "who, from their mode of life, are calculated, in the opinion of the local authorities, to excite the distrust of the government." Under the pretext, too, of providing for poor and orphan children, whose poverty was to be determined solely by the Russian authorities, a great number of Polish boys were transplanted to the military colonies in the Asiatic recesses of the empire. The use of the Polish language was prohibited in all the tribunals of Lithuania, Volhynia, Podolia, and the Ukraine. The University of Warsaw was shut up. The medical, theological, and astronomical works were allowed to remain; the rest of its library, rich in books and manuscripts, and the collections of prints and medals, were ordered to be removed to St. Petersburg—for, said the imperial order, "as the Russian troops took Warsaw by force of arms, all these articles belong to Russia by right of war." But the debts due by the library and museum were to be paid by Poland, although she had been deprived of all the collections.

## CHAP. XII.

**SPAIN.**—*Illness of the King—Intrigues of the Carlists to exclude his Daughter from the Succession—Recovery of the King, and Disgrace of the Ministry—The Queen is named Regent—Public Measures adopted by the Regency.*—**PORTUGAL.**—*Preparations of Don Pedro for the Invasion of Portugal—He sails from the Azores—Effects a Landing, and takes possession of Oporto—The Miguelites advance against Oporto—They are repulsed at Penafiel and Vallongo—Pedro is not supported by the Population, and shuts himself up in Oporto—Naval Operations—The Miguelites make themselves Masters of the Suburb of Villa Nova, and bombard the Positions of Don Pedro—Unsuccessful Attacks of the Miguelites on the Serra—General Attack by the Miguelites on Oporto defeated, and likewise a renewed Attack on the Serra—The Miguelites erect Works which blockade the Douro—Unsuccessful Attempts of Don Pedro's Army to destroy them—Critical Situation of Don Pedro—Want and Discontent among his Troops.* **ITALY.**—*Troubles in the Papal Legations—The Papal Troops drive the Insurgents from Cesena and Forli—The Austrians, at the request of the Pope, occupy Bologna—French Expedition to Ancona—Effect of it on the State of the Papal Territories—Protests of the Papal Government against the Violation of its Territory by France—Convention respecting the French Troops.* **GREECE.**—*Schism in the National Assembly—The seceding Members form a Counter Assembly, and overturn the Government—State of Anarchy in Greece—Prince Otho appointed to be King of Greece.* **TURKEY.**—*Quarrel between the Sultan and the Viceroy of Egypt—The Viceroy's Army enters Syria—Takes Acre and Damascus—The Turks defeated at Homs and Bylan—The Egyptian Army completes the conquest of Syria, and crosses Mount Taurus to march to Constantinople.*

**S**PAIN, throughout the greater part of the present year, presented no occurrence of any importance, till the approaching death of Ferdinand excited the interest of Europe, and seemed to threaten a change in the Spanish succession. The health of the king had been rapidly declining; on the 17th of September his life was despaired of, and ere the breath was out of his body, intrigues were forming to seize his crown. Ferdinand had

only an infant daughter, and he thought he had secured her tranquil succession. By the ancient laws of Spain, the crown was hereditary according to the order of primogeniture, without distinction of sex; but the Salic law of France had been introduced along with the princes of the House of Bourbon, and females continued to be excluded from the throne till 1789, when Charles IV., by the secret sanction of the Cortes,

gated the restriction, and restored the ancient rule of succession. In 1812, the Cortes re-established the Salic law, and, as Ferdinand had no sons, his brother, Don Carlos, was heir presumptive. Ferdinand, however, not acknowledging the legality of these proceedings of the Cortes, had issued a decree in March 1830, replacing the right of succession on the same footing on which it had stood in 1789, and his daughter was thus capacitated to mount the throne. But his daughter was an infant; his brother, Don Carlos, was the head of a powerful and bigotted party, who had already possessed influence enough to raise rebellion against the undoubted title and actual possession of Ferdinand himself. All the intrigues of this party were now brought to bear on the weakened mind of the dying king. They were supported by his ministers, eager to secure the favour of Don Carlos, who promised to be the successful competitor, in the event of a disputed succession; and the king was prevailed on to employ what seemed to be the last scene of his life, in disinheriting his own daughter, and approving of a decree by which he restored the Salic law to full operation. In all probability even the absence of this formal revocation would not have obstructed the enterprize of the Carlists. They were said to have already made the necessary preparations for proclaiming Don Carlos, so soon as the king should expire. They were strong in the army; they had the support of the royal volunteers, and, in an especial manner, of the priesthood, in whose eyes even the stern despotism and bigotry of Ferdinand were tainted with liberality and moderation. They would have found

a pretext for their rebellion, by treating the ordinance of 1830 as a regulation which could not be considered valid, because it had not been sanctioned by any assembly of the Cortes.

The queen had friends in the council who informed her of what had been done, and were ready to join in maintaining the rights of her daughter; but the king was helpless; and civil war seemed to be the only mode in which the succession could be determined. However, the very next day, after Ferdinand had been announced as already dead, and his attendants were only waiting to witness the dissolution of the unconscious monarch, the disease, unexpectedly, and at once, took a favourable turn; all symptoms of immediate danger disappeared, and consciousness and understanding were restored. The queen instantly brought before him the injustice which he had committed, or to which he had been made a party, when incapable of deliberating on what was going on; she pressed the rights of their child; she revealed the readiness with which ministers had joined the faction of his brother; she insisted on the danger which must necessarily arise to his own authority from teaching a prince, supported by so powerful a party, to consider himself clothed with a legal title. The indignation of the king was easily excited, as well as his fears. His own approbation of his daughter's exclusion had been obtained, when he was in the agonies of death; and the advantage which the Carlists had attempted to take of his mental weakness to wound his best affections, sealed their fate. The ministry were displaced; Calomarde himself was sent into confinement in a fortress;

and the queen was appointed regent during the illness of her husband. As the enemies of herself and her daughter belonged to the class of the most ultra absolutists, she was necessarily led to seek her friends among men of a more liberal and moderate character, and to strengthen her cause by popular measures. M. Zea Bermudez was recalled from the embassy at London, to be placed at the head of the new ministry. Several of the captains-general of the provinces, who were known to be in the interest of Don Carlos, were dismissed; and so high were the expectations that, under the protection of the queen, a better order of things was approaching, that in Madrid itself the Spanish funds rose ten per cent. A decree was issued, re-opening all the universities, which had been closed from a dread of the propagation of liberalism. The decree spoke a language which had been long unheard in the peninsula. It stated, that, among the obstacles which had impeded the improvement and glory of the country, "the ignorance which, like a disease, has spread so extensively throughout all classes of the nation, that scarcely a single individual has escaped from the contagion, is not the least. In fact, from this disastrous source have sprung the capital vices which destroy kingdoms and annihilate institutions the most just, prudent, wise, and beneficial; by the same cause are produced divisions, factions, foul denominations, the specious arguments by means of which the most abominable crimes are affected as virtues, and those passions assume the name of public good which most injure and oppose it." Then followed, what Spain so much needed, a general amnesty

for all past political offences. All emigrants on account of political opinions or actions were allowed to return to the possession of their property, the exercise of their professions, and the enjoyment of their honours and decorations. All pending trials for political offences, committed prior to the date of the amnesty, were to be dropped; where trial had not yet begun, the accusation was to be dismissed; where sentence had been already pronounced, its execution was to be discharged. Two classes of offenders, however, were still excepted, viz.—1. Those members of the Cortes who had voted at Seville for the deposition of the king, and the appointment of a regency; 2. Those who had headed an armed force against the king during any of the previous convulsions—words which were probably intended to reach only general officers, but which might have been made to include numerous classes of officers of an inferior grade, who might, for a time, have held an independent command over small detachments. Many distinguished Spaniards who had served under the Cortes, in civil or military stations, and who, though pardoned, had been proscribed from all public employments, were now called into the service of the state. The Carlists sank, in the meantime, at least, almost without resistance. Their military retainers, and more particularly the royalist volunteers, attempted here and there to produce disturbances; but these only required the intervention of the police, and the regular army remained faithful to its duty. When the king, who had hitherto remained at San Ildefonso, returned to Madrid, in the middle of October, his arrival was hailed with

thusiastic rejoicings. The theatres, which had usually been deserted, were crowded to sing songs in honour of Ferdinand and his queen. The latter seemed to be becoming the favourite of a nation, and securing a crown on the head of her daughter, while her sister, the Duchess of Berri, already an exiled princess, had become the inmate of a French prison in attempting to recover a forfeited throne for her son. On the last day of the year, Ferdinand issued a decree, formally recalling the ordinance by which he had restored the exclusion of females from the succession. He declared, that it had been extorted from him, not only when he was in the agonies of expected death, but by lying misrepresentations, that all Spain demanded it, and the inviolability of the monarchy required it; whereas in truth it had been desired only by a traitorous faction, and was in contradiction to the fundamental laws of the kingdom.

In PORTUGAL, during the present year, Don Pedro carried into execution his threat of attempting to recover, by force of arms, from his brother, the throne which belonged to his daughter. From the moment of his arrival in Europe, chased from his Brazilian empire, his agents had been actively employed in endeavouring to draw men to his standard. France and England were the principal scenes of the activity of his recruiting officers. The governments of these countries were to be neutral in the approaching conflict; but they scarcely concealed on which side their wishes lay, and, while they professed neutrality, they allowed hostile armaments to be equipped under their jurisdiction against Don Miguel. Although Don Pe-

dro had been dismissed from the Brazils, because the Brazilians thought the continuance of his reign inconsistent with liberty, he was considered a fit champion to make a free constitution triumph in Europe. France, in her love for spreading constitutions through the world, would have sent an army into Portugal, as willingly as she did into Belgium and Italy; but as an army would have to be transported by sea; this was a measure which required the concurrence of England; and England, instead of being entitled to employ arms against the monarch whom the people of Portugal had, *de facto*, set over themselves, in favour of an unacknowledged princess, whom, *de facto*, they had rejected, would have been bound to prevent the armed interference of a foreign power in their civil dissensions. Nevertheless, no obstacle was presented to the levying of men, the buying of vessels, the purchase and shipment of arms and ammunition. Disbanded soldiers and half-pay officers were allured by the prospect of more rapid gains than could be secured by the regular course of promotion in their native service. The naval part of the expedition was put under the command of an officer who held a commission in the British navy. He was deprived of his British rank, and became a Portuguese admiral. Great part of the new levies, however, consisted of raw recruits, persons of idle habits, accustomed to any thing but discipline—men of desperate fortunes or suspicious characters—likely to become sources of embarrassment, rather than of assistance, so soon as plunder should fail, and the slender resources of Don Pedro should be exhausted. To these

troops were joined the military who had been dismissed from Brazil, the refugees whom the proscriptions of Miguel had spread over Europe, and the regiments which had hitherto been successfully maintaining the cause of the young queen in the Azores. The means seemed altogether inadequate for the conquest of a kingdom; but the invader flattered himself that his appearance in Portugal would be the signal for a general revolt against the usurper, as well among the military as among the general population of the country.

From St. Michael, one of the Azores, the place of rendezvous, the expedition sailed for the coast of Portugal on the 27th of June. It consisted of two frigates, three corvettes, three armed brigs, and four schooners, besides transports, and a number of gun-boats to cover the landing. The army on board did not amount to ten thousand men, of whom about fifteen hundred consisted of the British and French recruits. It was scantily provided with artillery, and still more scantily with cavalry. The point on which the attack was to be made was carefully concealed. Miguel had prepared himself for the invasion; but he knew not whether to concentrate his forces around the capital, or distribute them to different places where a disembarkation might be practicable. In the mean time, he issued a decree declaring, that, wherever the enemy should attempt or effect a landing, the district was to be considered as in a state of siege. The plans of the invaders were at length disclosed, by the fleet appearing, on the 8th of July, off Oporto. The Portuguese military in the

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neighbourhood were too weak, or too unskilful, to prevent the disembarkation. Don Pedro landed his troops, a little to the northward of the mouth of the Douro, without the loss of a single man. Next morning they advanced upon Oporto. A few bodies of cavalry appeared, as if watching their motions, but offered no serious opposition. The invaders took undisturbed possession of the city in the course of the same day, the enemy having retired to the left bank of the Douro, and destroyed the bridge. The castle of Foz was likewise captured. The armed vessels entered the river; under the protection of their fire a body of troops was transported to the southern side, and the Miguelites who had hitherto occupied it, fell back on the road to Coimbra.

Don Pedro was thus master of a city which was second only to the capital, and in which he was sure of being well received; for Oporto had always been distinguished by attachment to the constitutional system which he had come to restore. This consideration had probably been of weight in selecting the point of attack. Oporto, moreover, was a defensible position; the command of the river, so long as it could be retained, ensured the communications with England and France, kept the fleet and the army in contact, and furnished the means of receiving reinforcements and provisions. The possession, too, of so important a city, so easily achieved, might lend a certain degree of moral weight to the enterprise, and form a safe rallying point for the disaffected who were expected forthwith to flock to the standard of their rightful sovereign. It was a position, however, far removed from the capital.

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a battle. He manœuvred till he gained the weather-gage, passed through the enemy's line, fired two or three broad-sides at the line-of-battle ship and frigate, and then retired. On the 10th of the same month he again engaged them, in the hope of being able, in the darkness of the night, to cut off the frigate. He was unable to effect his purpose, but he shot away the maintop-mast of the Miguelite Admiral, and, on board of his own vessel, had three men killed and seven wounded. He forthwith returned to the mouth of the Douro, to renew his provisions, and, if possible, to obtain a reinforcement—which the exchequer of Don Pedro was ill able to supply. Having refitted his squadron, he again sailed in search of the enemy, whom he found in Vigo bay. They immediately stood out to meet him, confident in their superiority of metal and numbers. Sartorius did not decline the engagement, hoping that his two frigates might be able to disable the larger vessels of the enemy, while the attention of the others should be occupied by the smaller craft. The event did not altogether answer his expectations. After an engagement of four hours, the enemy bore away, but some of Don Pedro's vessels were greatly injured. Of their crews, fourteen men were killed, and thirty-five wounded, including the admiral himself. The Miguelite admiral stated that it was Sartorius who fled; but he admitted that his own vessels had suffered considerable damage, and that he had had twenty men killed, and forty-nine wounded. His superior squadron ought to have given a much better account of its opponent.

While Don Pedro was surround-

ing himself in Oporto with a series of strong fortifications, which might present to him a secure place of retreat, his brother was increasing his forces, and preparing to drive him from his strong hold. Great part of the Miguelite army still maintained its place on the north of the Douro, preventing the constitutionalists from extending their excursions, and exposing them to great difficulties in procuring provisions. Another division was interposed on the south of the river, between Oporto and the road to Coimbra. The troops were provided with heavy artillery; and their principal object was, to drive the invaders from the suburbs on the left bank of the river, from which they would then be able to command the harbour, and to bombard their works. These suburbs consisted of Villa Nova, and of the convent of Serra, which overlooked Villa Nova. The convent, as being the more defensible position, and one, the possession of which would enable the enemy greatly to annoy the town, had been fortified, and provided with a strong garrison. On the 8th of September, the troops of Miguel made their attack. They succeeded in driving the constitutionalists from Villa Nova, of which they took possession. The constitutionalists, after throwing reinforcements into the convent, passed to the north side of the river, and cut away the bridge, to prevent the enemy from following. The convent of Serra, where the strength of the situation aided the gallantry of the garrison, successfully resisted the assault. It was renewed next day, but with no better result. The possession of Villa Nova, however, enabled the Miguelites to harass the city with a constant fire both of musketry

and artillery, and to render it a work of difficulty to communicate with or to reinforce the garrison of the convent. On the 10th the constitutionalists attempted to recover the suburb. Some of the flotilla were brought up the river, to ply it with their fire; seamen were landed from the fleet; and, at the same moment, the garrison of Serra made a sally. This combined movement failed in all its parts; the Miguelites maintained their post. But, although, for a while, they renewed their bombardments and assaults almost daily, they were unable to make themselves masters of the convent. Contemporaneously with these proceedings, some slight affairs took place on the north bank of the river, in the vicinity of the city itself. They amounted, however, to little more than a skirmishing warfare of picquettes, intended by the constitutionalists to prevent the enemy from taking up positions too close upon their works, and, by the Miguelites, to narrow the circle which contained their opponents, or to distract their attention during the operations on the other side of the Douro.

The Miguelites continued to strengthen their position at Villa Nova by erecting batteries, from which they kept up an incessant fire upon the city, which now began to be seriously injured. The batteries from the other side were not idle; but neither they, nor the armed brigs and gun-boats, could produce any permanent effect. On the contrary one of the vessels was sunk, and some others were for a time disabled. The Miguelites continued to make unavailing attacks on the Serra; the constitutionalists continued to repeat unavailing attempts to

drive them from Villa Nova; but no decisive operation took place till the 29th of September, when the Miguelites, from the north bank of the river, made a general attack upon the works round Oporto. They began by attempting to turn Don Pedro's right, which rested on the river, and thus to penetrate into the town. They advanced with great determination, drove back the French battalion, which they first met, and made their way as far as the last palisade of the works. At the same time, in another part of the line, they forced the position occupied by the British battalion, driving it back to the square of its barracks. The attack on the left of the position had been less animated and less successful. Reinforcements were brought up to the points where danger was so imminent; the French and British battalions rallied; the assailants had brought themselves within reach of the batteries, which they were unable to carry. Their efforts relaxed, and after manfully maintaining the attack for seven hours, they retreated undisturbed to their former positions. The loss sustained by Don Pedro fell principally on the French and British in his service, and particularly on the officers, the greater number of whom were killed or wounded. He had escaped a great danger, and he claimed a great victory. He had indeed maintained his fortified position; but it was not to maintain a position that he had come to Portugal, and the determination with which the enemy fought him, and which his own officers were compelled to applaud, seemed to increase the improbability of his being able to do more. To repel an attack prevented utter destruc-

tion; but the only victory which could bring him positive advantage, was one which should compel the enemy to retire, and leave to himself free room to advance. Even an attempted landing at Aveiro, to the south of the mouth of the Douro, which might have enabled him to take the enemy in the rear, was defeated by the Miguelite militia.

After the affair of the 29th of September, operations were suspended, with the exception of some shot and shells being thrown into the city, till the 13th of October, when the Miguelites commenced a furious bombardment of the Serra. It was continued during the whole of that day and night, and till the afternoon of the following day, when the troops marched to the assault, in three columns. All their exertions were rendered useless by the strength of the position, and the fire kept up from the batteries on the Oporto side of the river. According to the official accounts of Don Pedro, the attack was renewed six different times in the course of three hours. The assailants, after suffering considerable loss, returned within their lines.

The commanders of Don Miguel, finding the difficulty of entering Oporto, in defiance of the strong works with which it was protected, determined to proceed with such operations as would cut off all supplies from the city. Their army already occupied positions on the north of the Douro, which extended from the right bank of that river to the eastward of Oporto, round almost to the city, preventing the arrival of provisions or forage from the interior. On the left bank, the constitutionalists held only the fortified convent of Serra,

and its garrison were confined within its works. The Douro itself, therefore, was the last hope of Don Pedro. The Miguelites proceeded to erect batteries along the south shore, which not only enabled them to annoy the besieged in their positions; but commanded the bar and channel of the Douro, rendering the approach of vessels a task of great hazard, if it was at all practicable. The besieged found themselves compelled to attempt the interruption of these works, which threatened to be so fatal, and to force the main army, which was pressing close upon them from the north and east, to retire to a more convenient distance. In the course of November, several sorties were made, to accomplish these objects, both from the city, and by the garrison of the Serra. Both sides, as was usual, claimed the victory. Don Pedro boasted, that he had destroyed batteries, spiked cannon, and taken prisoners; Don Miguel asserted that every attack had been repelled—that the enemy had uniformly been driven back, leaving the field covered with his killed, wounded, and arms. The undoubted result, however, was, that no one of the great objects of the constitutionalists was achieved. They did not extend their positions, increase their communications, or remove their opponents. Miguel's army maintained its place; his batteries along the Douro were finished and extended, till the river was completely shut up; not a vessel could cross the bar without passing under his cannon; and orders were given to fire on every vessel, of whatever nation, who should violate the laws of war by attempting to hold communication with the besieged city.

The same notice was given to all foreign shipping to leave the harbour within a limited period.

Don Pedro and his army, whose hopes had already been long on the decline, soon began to feel the effects of these proceedings which they could not prevent. Scarcely a vessel could be induced, by the promise of any reward, to attempt to cross the bar, to bring him supplies. The English flag was made use of to impose on the enemy—a piece of dishonesty which could only expose English property to the danger, and hazard a breach with the English government! Don Pedro, while he could receive nothing, was in want of every thing. Men, accoutrements, ammunition, money—all were required. Provisions were so scarce, that even the citizens began to suffer. As for the army, there was neither a well-furnished commissariat, nor funds to supply what a commissariat should possess. Don Pedro's agents were still enticing recruits from England and France, by lying promises of golden gains; and a number of them were landed at Oporto in the beginning of December, from a steam-vessel which passed the batteries in safety by audaciously hoisting the British pennant, as if she had belonged to the fleet. But such arrivals only increased the mischief in every possible way. They added to the number of empty mouths which there was nothing to fill. While they had no useful military service to perform, they were becoming creditors for pay which there was no military chest to discharge. Utterly undisciplined, too, they were of little use as soldiers. Many of them were scarcely more than boys thus placed in the way, as it was

thought, of becoming Portuguese generals and field-m Marshals. The majority consisted of persons whose absence from their native countries tended only to lighten the labours of the police. Before the end of the year, the foreign levies of Don Pedro were often in a state of open mutiny. Instead of being successful conquerors, they were cooped up starving in a town besieged and blockaded. They were badly clothed; their pay was in arrear for many months. In November, when ordered to march for a sortie, they positively declined to perform any duty, or obey any command, until their arrears had been paid up. Such was the situation in which Don Pedro found himself, six months after he had landed in Portugal; and it was a much worse situation than when he first entered Oporto. His armament was diminished in numbers, and was suffering under a want of all the means of military efficiency; its hopes had been disappointed, and its confidence blunted; its efforts had been limited to successful resistance, instead of moving on to triumphant conquest. He had not gained a foot of ground beyond that which he had first occupied without opposition; on the contrary, he had been deprived of part of his original position, and was hemmed in, on every side, by the works and armies of the besiegers. Above all, the population of the country, without whose aid his utmost force would never have thought of conquest, viewed his expedition with apathy, if not with dislike. Miguel raised regiments of militia and volunteers; Pedro found none of his former subjects prepared to answer to his call.

In ITALY, the only events of Eu-

ropean importance which occurred arose from the continuance of intestine commotions in the states of the pope. The Austrian troops had easily quelled the insurrection of the preceding year; but when they were withdrawn, all the elements of discord broke forth anew. The pope had undertaken to establish a more popular system of administration; the liberals complained that the new institutions were too long delayed, or they were discontented with them when they arrived. They maintained an attitude of suspicion and defiance, and scarcely acknowledged the authority of his holiness. All the provinces north of the Appenines transacted business in the pope's name, but allowed nothing to be done by his agents. They refused his troops admission into their cities, and forbade their national guards to wear his colours. They transmitted no part of their revenue to Rome, but employed it to support their own provincial establishments. In short, they enjoyed a kind of provisional independence, a doubtful temporary sovereignty, and the management of their own affairs, under an implied necessity of afterwards balancing accounts with their ecclesiastical master. Every class of the community joined in this avowed conspiracy, and, under the title of commissioners to settle their ultimate relations to the Holy See, elected, in the most public manner, a real representative assembly for the country. Their declared object was to secularize the Government, to manage their affairs at home without papal legates, and to acknowledge only a nominal subjection to the Roman See.

The Pope resolved at length to

employ force to bring back the legations to their duty. Since the retirement of the Austrians, he had collected a corps of five or six thousand men, which he intended should be employed against Romagna. Cardinal Albani was invested with the character of extraordinary commissioner to execute this movement, to disarm the civic guards, and take all necessary measures for restoring efficacy to the laws, and authority to the public functionaries. Before adopting this measure, his holiness addressed a circular to the ministers of Austria, France, Prussia, and Russia, explaining the concessions he had made, the unsuitable returns with which he had met, his determination to employ force to put down rebellion, and his confidence that he would receive, if it should be necessary, the assistance of these powers to establish his legitimate authority. It was only in regard to France that any doubt could be entertained, and the answer returned by her minister seemed to remove all cause of apprehension. M. de Saint Aulaire recapitulated and applauded the measures adopted by the pope to give satisfaction to his subjects. "If it should happen," said he, "that the pacific troops of his holiness should encounter a guilty resistance, and if some factious persons should dare to commence a civil war, as senseless in its object as fatal in its results, the undersigned makes no difficulty in declaring that these men will be considered as the most dangerous enemies of the general peace by the French government, which, always faithful to its policy so often proclaimed respecting the independence and integrity of the states of the Holy See, would em-



ploy, if need be, all the means of securing them." He added "the good understanding, which exists between the government of the king and those of his allies, assures the accomplishment of the wishes which he desires to be carried to the feet of his Holiness." A deputation of Bolognese repaired to the Austrian commander at Modena, apparently to ascertain whether the Austrian troops with which Lombardy was filled would interfere in support of the proceedings of the papal government. General Grabowski informed them that his orders were to advance upon any part of the legations, whenever cardinal Albani should request him to do so.

In the end of January the papal troops began their march from Ancona and Rimini. They encountered no opposition till they had arrived, on the 20th, within a few miles of Cesena, when they found a body of insurgents occupying a position of some strength on the neighbouring heights. After some smart firing, and a resistance which lasted about two hours, the papal troops made themselves masters of the heights, and pursued the rebels to the town. The gates of the town were shut against them; they battered them open with cannon, and entered by main force. His Holiness's army had fifty men killed and wounded. On the following day it advanced to Forli, towards which the discomfited rebels had retreated. The latter had now dispersed; and Forli was taken possession of without resistance. But it became the scene of a partial massacre. The liberals represented the occurrence as the result of a deliberate resolution on the part of the troops to strike terror into the

legations by indiscriminate slaughter; the papal authorities stated it to have been occasioned by an erroneous idea taken up by the troops that the populace was about to attack them. All that was certain was, that, after the army had obtained peaceful possession of the town, they suddenly fired on the armed and defenceless multitude collected in the streets by the novelty and interest of the scene, and that about forty of the people were shot dead, while double that number were wounded. Cardinal Albani made use of this affair as a reason for calling in the aid of the Austrian troops, who, as being strangers, would be less under the influence of party spirit or personal animosity. The insurgents themselves preferred the protection of the Austrians to being left at the mercy of the papal soldiery. Accordingly, on the 28th of January, the Austrian troops again entered Bologna, at the request of the Cardinal, without opposition or confusion. The legations were thus once more reduced to submission; and the Cardinal-Commissioner immediately instituted a special tribunal for the trial of all political offences.

The answer returned by the French ambassador, on the 12th of January to the circular notification of the pope, had left no reason to apprehend any interference on the part of France. No sooner, however, had the campaign, if it deserve the name, been finished, than a French squadron, having on board a body of troops, sailed for the Adriatic. On the 22nd of February, they came to an anchor off Ancona, which was garrisoned by papal troops, and had always been submissive to the papal authority. On the follow-



ing day, the captain of the port, in the name of the papal government went on board the squadron, to offer its commander whatever his vessels might stand in need of. The French officer expressed his thankfulness for these kindly offers, and stated he would enter the harbour on the morning of the 23rd, firing the usual salutes which were to be returned by the forts. The etiquette to be observed, in case the commander of the squadron should land, was likewise agreed on. Nothing occurred, which did not denote the most friendly understanding. The French, however, instead of acting as had thus been arranged, clandestinely landed fifteen hundred men during the following night. These troops began by taking possession of one of the gates, which was not guarded. From thence they proceeded to take possession of the city, disarming the sentinels and papal guards. They surrounded the house of colonel Lazzorini, commandant of the city and fort, telling him he was a prisoner of war until he should order the citadel to be delivered up to them. On his refusal, he was put into custody, and the papal officers, soldiers, and functionaries were likewise declared prisoners, being allowed, on their parole, the range of the city. At the same time sentinels were placed over the palace of the prolegate, to prevent communication between him and the citadel, and he was requested to order the cession of the fortress, in order to avoid bloodshed. Instead of yielding to this demand, he formally protested against the proceedings of the French, as being an unjustifiable and unprovoked aggression on the sovereign rights of the holy see. The French

then entered into a negotiation with the officer commanding the citadel for its surrender. They gave him his choice of either marching out with the honours of war, or of admitting an equal number of French troops with his own, to perform the duty of the garrison. A council of war adopted the latter alternative; a body of French troops entered the citadel, and the French flag was hoisted, alongside of the papal, on a pontifical fortress. These proceedings were no sooner known at Rome, than the papal government protested to the French ambassador against this violation of his territory, and forcible usurpation of his rights. He demanded that the French troops should be immediately withdrawn from Ancona, and made the French government responsible for all the consequences of what had been done. Neither would he allow his troops to remain at Ancona, as if consenting to the equal rights of France over a pontifical city, but disclaimed the convention, and ordered them to quit the town.

The disregard thus shown of the rights of sovereignty was the smallest part of the mischief. The presence of French troops, and still more the forcible manner in which they had fixed themselves, and were maintaining themselves, in the papal territory, tended necessarily to raise the hopes, and renew the machinations of the disaffected. The latter could not believe that French troops had been sent to assist the Pope in keeping down his refractory subjects, both because the Austrian army was sufficient to secure this object, which had already been attained, and because the pope himself had solemnly remonstrated

against their interference. The insurgents looked upon them as allies, and the conduct of the French authorities tended to confirm the impression. Cardinal Bernetti, the papal Secretary of State, made repeated remonstrances to the French envoy against the partial proceedings by which France was exciting confusion, instead of aiding in the consolidation of peace, and was furthering the schemes of the very men who, as her minister had formerly declared to the papal government, not two months before, "would be considered by the French government as the most dangerous enemies of general peace." His eminence represented that the reports from the provinces were unanimous on the subject of the excitement in the minds of the disorderly, produced by the landing of the French troops at Ancona. The first effect of their presence on the government of his Holiness had been to place it under the necessity of recalling its troops from the Legations, to prevent the renewal of the former disorders in the other provinces, in which tranquillity had been maintained solely—by the presence of the troops sent to their assistance; so that the landing of the French troops, instead of placing the papal government in a position in which it would be easier for it to dispense with the protection of the Austrian troops, threatened to bring it into a contrary situation. The fermentation among the promoters of disturbances in the town of Ancona, so tranquil a few days before, was in every way encouraged. Notwithstanding the proclamation of general Cubières, who now commanded in Ancona, and his repeated assurances of

having no wish to embroil himself with the papal government, but to protect the sovereign power and authorities, and to cause the laws to be respected and the factions to be put down, two persons, who were imprisoned for political offences, had been set at liberty. In the opera, represented at the theatre by desire of the French officers, an air was introduced alluding to liberty, which elicited cries against the government of his Holiness, loud enough to be heard with impunity in the streets. Prints and writings exciting to rebellion were seen impudently affixed in public places; and persons, proscribed by the papal government, and excluded from the amnesty of last year, were seen at large in Ancona, accompanied by those identical foreign officers, who said they were sent in aid of the papal authority. One of the insurgents had attacked a policeman with a stiletto. The latter, in defence of his life, made use of his own, but at the same time retreated precipitately in order not to be massacred. On the pressing solicitation of the authorities, some French troops came up to protect the police-barracks. Instead of dispersing the mob, the troops compelled the sentinel to open the gates of the barracks, permitted the rebels to penetrate into the interior, in order to find the policeman who had taken flight, and remained quiet spectators of the most revolting offences committed against these soldiers and their wives, as well as against the government of his Holiness. Foreigners of every kind were continually arriving at Ancona, without the vigilance of the police being of any effect, as the most suspicious among them came under

the protection of persons connected with the French, or of the French Consul; and as if the population of Ancona were not sufficiently excited by the mere presence of the troops, French seamen, on a holiday, during the time of divine service, hoisted the tricoloured flag, marched through the town masked, to the sound of drums and fifes, and danced in the public squares and before the churches in which divine service was then in course of celebration. On the ensuing morning, three companies of soldiers marched out of Ancona several miles on the road to Sinigaglia, increasing the excitement among the inhabitants of the surrounding country. On the other hand, when the papal troops, by order of their government, quitted Ancona, they were not allowed to take with them either their horses or ammunition.

Such were the complaints of the Cardinal Secretary of State against this unjustifiable aggression, and its necessary consequences. The French government would not defend every thing that had been done, and captain Gallois, the commandant of the expedition, was recalled, as having acted contrary to his instructions. But the occupation was continued; additional troops arrived; contracts were entered into which seemed to threaten an extended stay, as well as a more extended sphere of action. In the chamber of deputies, the minister of marine did not hesitate to declare, that the expedition had been intended "as a counter-check to Austria, and to assert an equal right of interference;" that is, that whenever a government calls in the aid of an ally, France insists upon a right of counter-checking that aid, and of interfering by force,

just as much as another interferes by treaty and on request. The Vatican still insisted on the departure of the troops. France assured his Holiness that the independance and integrity of his states would always be the basis of French policy in Italy; but that "high considerations" did not permit the immediate recall of the French troops, and France therefore requested his holiness to acquiesce in their stay "as an accomplished fact," offering all the reparations which might be agreeable to him, and which would prove that France was in perfect harmony with the other European powers relative to the affairs of Italy. The Papal Secretary, in his answer, still insisted on the right of his government to demand the immediate departure of the French troops, but added, that it would acquiesce in their stay as a matter of accommodation, and in order to afford convincing proofs to France and to Europe of the desire of the Holy Father to preserve the general peace. That concession was only made, however, on certain conditions; the chief of which were, that the additional men, who had arrived after the landing of the first part of the expedition, should be immediately re-embarked for France,—that those who first arrived should be dependent on the ambassador, who was to be authorized to give immediate orders to their commandant, — that they should receive no reinforcements, and should not be allowed to build fortifications. They were to be withdrawn, when the Holy See, having no further need of the Austrian troops, should request them to retire. While they remained, they were not to go beyond the walls; they were to be supported

at the expense of France ; the citadel was to bear the Pope's flag alone ; and the officers were, in no shape, to interfere with or impede the operations of the Papal government in Ancona, especially of the police. These terms were accepted by France on the 16th of April: and thus was arranged, without a war, which it was excellently calculated to provoke and to justify, a measure which, in addition to the almost piratical character of its execution, involved a principle of armed interference in the affairs of all foreign states contrary to the wishes and in hostility to the interests of their governments.

GREECE, after the assassination of Capo d'Istrias, in October 1831, was left without a government, and was soon involved in absolute anarchy. A provisional government, indeed, was forthwith installed, at the head of which was placed Augustine, brother of the murdered president: but the refractory chiefs could not brook his authority, and began to act for themselves. The National Assembly, which met at Argos in the middle of December, was not more successful in restoring obedience and tranquillity. Loud complaints were made that the elections had been illegally controlled by military force, and that force exerted in favour of Russian domination. A large body of the members protested, therefore, against the competency of the assembly to proceed to business. These protestors were driven from Argos by a body of troops headed by a Russian officer. They repaired to Megara, formed themselves into a national assembly, and declared themselves to be the only legal representatives of the Greek nation. On the 18th of January in the

present year they voted an open impeachment of Augustine Capo d'Istrias. They averred that the elections, in the greater number of the provinces, had notoriously been made under the influence of troops stationed there by the ruling powers for the very purpose of controlling and over-awing the free voices of the citizens. They charged against the provisional president, that he had corrupted the elections, and employed fraud and violence in order to usurp the supreme power in contempt of the laws ;—that, by means of these violent proceedings, he had prevented a great number of the deputies lawfully elected from attending at the place appointed for the convocation of the general national assembly ;—that he had prepared batteries, and collected large bodies of troops round the place of assembling, giving orders to make war upon the deputies of the nation, though regarded by the laws as inviolable in their persons ;—that, by these crimes, and numerous other iniquities, he had spread terror through the whole assembly, whose members, in dread of their lives, did not dare to express their unbiassed opinions ;—that he had admitted into the assembly many deputies who were the creatures of illegal election ;—and that, by his iniquitous and illegal acts, he had destroyed the legitimate government, and possessed himself of the supreme authority by main force. They therefore decreed that Augustine Capo d'Istrias was a violator of the independence of the general assembly, the principal author of a civil war, and an usurper of the sovereign authority ; and that he should therefore be delivered over to the proper tribunal for trial.

These charges were probably, to a great extent, the fictions or the exaggerations of party violence; but they announced the spirit which had gone abroad. There were now two bodies, each styling itself the constitutional depositary of the will of Greece, and both of them animated with deadly hostility against each other. The Morea adhered in general to the provisional government; the Roumeliots, and the population of the islands supported the assembly of Megara. The latter marched into the Morea, and overturned the Russian faction, and the feeble rule of the president's brother,—establishing a commission to carry on the farce of a government, till the great powers should have again settled the affairs of the independent state which they had created. Some of the chiefs, however, still held out; the consequence was, that every trace of regular government disappeared before the military authority and excesses of leaders who acquired the superiority in this or that part of the country, and who resembled the captains of banditti more than the heads of regular warfare. The successful insurgents had begun their sway by farming out the revenues to their friends and favourites at half their amount; leaving an army of eight thousand men, which had raised them to power, to support itself as it best could. This necessarily led to the utmost licence of military oppression; multitudes fled for security to the Ionian islands, while the peasantry sought protection against these military marauders by abandoning their villages and fields for caverns and fortresses. Each chief ruled despotic in the small district which he was strong enough to occupy. The commission of government

was not listened to or obeyed beyond the walls of Napoli di Romania in which it had fixed its seat. The residents of Britain, France, and Russia, the powers which had taken Greece under their protection, were unable to quell or mitigate the confusion; and even the military force, which France had in the Morea, was successfully resisted. The French general had ordered one body of his men to occupy Patras, and another Napoli. The latter town was gained, after some opposition on the part of the Roumeliots; but Zavellas, who was in possession of Patras, declared he would burn it to the ground rather than deliver it up to any one who was not recognized as sovereign of Greece. The French commander thought it most prudent to return with his troops to Navarino. It appeared manifest that there was no prospect of the restoration of tranquillity in Greece, except in the presence of a sovereign to whom the chiefs might yield the obedience which they refused to one another, and who should possess an independent force sufficiently powerful to cause his authority to be respected.

The courts of Britain, France, and Russia, had recognized the National Assembly of Argos; but, when its power was overthrown, they took no measures to re-establish it. They were occupied in selecting a king who might reduce it to order more easily and effectually than they could do by mere protocols and dispatches. Their choice fell on prince Otho, son of the king of Bavaria. In Europe, the nomination of this prince was strongly objected to, on the plain ground that he was still a minor, who must commence his reign with what would only be a regency.



This, it was said, was not the sort of executive fitted to command respect in a turbulent and disorganized country like Greece. In defence of the choice, again, it was urged, that the circle, from which a Greek king was to be selected, was not a wide one, and Otho was the fittest person within it. It was a matter of no inconsiderable importance, that the prince came from a country where a representative form of government existed. His family was well known, and much respected in Greece; for his father, from the beginning of the revolution, had taken a great interest in its success. His youth was undoubtedly an objection, but he would be accompanied by a council of three experienced and eminent men, known for their liberal principles.

The king of Bavaria having accepted the crown on behalf of his minor son, the conditions were fixed by a treaty concluded in May between Britain, France, Russia, and his Bavarian majesty. The territory to be comprehended in the new state was now somewhat larger than when its sovereignty had been offered to Leopold, an extension of boundary to the north, making it run from the gulph of Arta to that of Vola, having been purchased from the Porte at the expence of about half a million sterling. This sum was to be paid out of a loan of two millions and a half which was to be raised for the service of the new king, and the raising of which was to be rendered practicable by the three powers guaranteeing payment of the principal as well as interest. The king of Bavaria was to send along with his son, an army of 3,600 men, to be supported entirely at the expence of Greece. To a people so divided

as the Greeks, unaccustomed to the control of regular government, habituated to the reckless indulgences of a military life, ruled by chiefs whose influence and importance were scarcely reconcileable with the existence of a strong executive, it might have been doubted whether the approach of a foreign monarch, of a different religion from themselves, attended by foreign troops, and to be guided by foreign advice, would have been a subject of gratulation. The assembly at Napoli, however, so soon as they had learned the conclusion of the treaty, dispatched an address to the king of Bavaria, praying him to hasten the arrival of their long-desired monarch. They declared that the wishes of Greece were unanimous, although the school-boy inflation of their language did not show much sobriety or wisdom. "The representatives of the Greek nation," said they, "hasten to give their unanimous sanction to the resolutions of the great powers, and to invite your much-wished-for son to consolidate the newly erected Greek throne. They consider it their duty to lay at the foot of your throne the tribute of their unanimous and heartfelt acknowledgments for the interest which your majesty has been pleased to take in the fate of Greece ever since the beginning of its holy enterprise, and most earnestly exhort you to be pleased to hasten the arrival of the king, whom the whole Greek nation so ardently desires. Yes, Sire, the whole nation expects with outstretched arms the arrival of its sovereign; it longs for him as the promoter of its prosperity, the pledge and defender of its rights, the harbinger of durable peace and unalterable concord; and the representatives of the Greek



nation, in thus expressing themselves, act only as the organs of its ardent wishes and universal desire. May these wishes be heard ! May the gloomy political horizon of Greece be brightened by the rising of this new star ! The reviving country of a Solon, a Plato, a Pericles, rejoices in the conviction that a worthy guide of its destinies is granted to it. The muses themselves descend from Helicon to proclaim with loud joy the appearance of the august sovereign." The address was followed by a deputation, which was received at Munich with every mark of royal regard, and which had been commissioned to address to their future sovereign the same florid sentiments of submission and good-will. All the necessary preparations having been completed, the young king quitted Munich, on the 6th of December, to proceed by Naples, Otranto, and Brindisi to Corfu, the place of rendezvous for the army which was to accompany him. The army itself marched from Bavaria to Trieste, where, in the last week of December, they were embarked for Napoli di Romania.

While Greece, which had fought out its independence through much blood and misery, was consolidating its separation from the Turkish empire, the latter was incurring a far more serious danger from a very different quarter. Throughout the Greek revolution, it was the aid of the viceroy of Egypt which had sustained the fortunes of the Porte. The discipline of his armies, and the conduct of his son Ibrahim who commanded them, had already terminated the struggle, when the European powers interfered on behalf of Greece, and snatched the prey from the grasp of the Sultan. The viceroy had served him faith-

fully, but the expected results of these services had failed of accomplishment. The Porte, too, began to look with jealousy on this powerful vassal. The viceroy had freed himself from many prejudices ; for years he had been zealously labouring in making use of European skill and intelligence to increase and direct the sources of his power. He had introduced and encouraged manufactures ; he had employed European officers and artisans to equip and discipline his fleets and armies. Despotic towards his own subjects as eastern tyranny could be, he would bear no slight from his neighbours, feared little the threats of his nominal master, and was prepared to take advantage of every opportunity which might present itself of converting his pachalick into an independent kingdom, and extending its boundaries. He had, or thought he had, a good ground of quarrel with his neighbour Abdallah Pacha, governor of St. John d'Acre in Syria. He marched a powerful army under the command of his son Ibrahim, attended by an equally powerful fleet, to attack him in the capital of his pachalick. Abdallah prepared for resistance, and the two pachas were at war. The Porte had not been consulted in any of these proceedings. Mehemet, the Egyptian viceroy, thought himself so far a king, as to be entitled to make war, at his own hand, wherever he had a cause of quarrel, even though it should be against a province of the sultan's empire. The sultan, again, considered himself as the common master of both. When he ascertained, therefore, that Ibrahim had actually laid siege to Acre, a firman was dispatched from Constantinople, commanding peace. The two pachas were di-

rected to lay their mutual complaints at the foot of the sultan, that he might investigate and decide. Positive orders were given to Mehemet instantly to withdraw his troops from Syria, and commissioners were sent to enforce what the Divan commanded. These were orders which the viceroy was not inclined, and did not find it necessary to comply with. He returned evasive and procrastinating answers, and directed Ibrahim, in the mean while to press the siege of Acre. The porte now began to doubt the fidelity of its great vassal. It directed armies to march, and fleets to be prepared to punish him as a rebel. This manner of treating him only irritated and confirmed Mehemet, while he knew too well the condition to which Turkey was reduced, to dread any very formidable activity in her military preparations. The Greek revolution had deprived her of the best part of her navy; the war with Russia had plunged her in poverty and humiliation; the innovations of the sultan, and the misfortunes of his reign, had produced disaffection.

The Egyptian army, which amounted to between forty and fifty thousand men, immediately on its entrance into Syria had made itself master, without resistance, of Gaza, Jaffa, and Caiffa. Acre, defended by Abdallah himself, made as strong a defence as it had formerly done against Napoleon. Ibrahim lay before it for three months, bombarding it both on the land side and from the sea. He reduced it to a heap of ruins, but he could not compel it to surrender. Its pacha expected relief from Constantinople, and had made a defence which allowed sufficient time to have relieved him, if the Porte had

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possessed the necessary means. A Turkish force indeed, under Osman Pacha, advanced to Tripoli; but Ibrahim having marched against him with part of his army, Osman, terrified at the approach of the Egyptian commander, fled during the night, abandoning his camp, ammunition, artillery, and provisions. This attempt having failed, and Acre being pressed with a strict blockade, Abdallah at last gave it up by capitulation in the month of May.

The Egyptian viceroy ought now to have been satisfied, if the only cause of his operations had been to chastise his neighbour of Acre, or even to add that pachalick to his own government. But whether it was that he had entertained more extensive designs from the beginning—or that he had been provoked by the manner in which the porte had treated his pretensions—or that he was merely seduced by success and opportunity—he determined to act directly against the sultan as his enemy, and to conquer the whole of Syria. Ibrahim, accordingly, having refreshed his troops, and received reinforcements, left Acre on the 8th of June, and marched directly upon Damascus. He arrived before it on the 14th, and found a considerable body of infantry and cavalry drawn up under its walls. They took to flight at the first charge; the governor and principal authorities immediately followed their example, and the Egyptian army took possession of the city. After an interval of repose Ibrahim continued his triumphant march northward, through the pachalick of Damascus towards that of Aleppo. At Homs, on the banks of the Orontes, he was encountered, on the 8th of July, by a Turkish

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army, stated in his bulletins to have amounted to 20,000 men, of whom 7,000 were regular troops, commanded by the Pacha of Aleppo, having under him the expelled pachas of Damascus and Tripoli, and five other officers of the same rank. They began the attack. Ibrahim repulsed them with his cannon. His infantry following up the advantage thus gained, threw them into confusion, and his cavalry immediately charging, put them totally to the rout. Ibrahim wrote to his father, with great naiveté, "I have never witnessed such a defeat as that which has been just experienced by the enemy; nor do I hesitate in asserting, that 200,000 or 300,000 similar troops would not cause me the least anxiety. By God's help, we will ever chastise such fellows, wherever they may fall in our way." He stated his own loss at 102 killed, and 162 wounded; that of the enemy, including prisoners, at 4,500, of whom 2,000 were killed. He took all their tents, provisions, ammunition, and twenty pieces of cannon. Eleven pieces, which had been carried off, were abandoned in the flight, and fell into his hands the day after. The pacha of Aleppo, had not even time to carry off his private correspondence with the Porte, the contents of which, in all probability would not be calculated to make the viceroy and his victorious son feel more kindly towards the sultan.

This victory laid open to the Egyptian army the road to the extremities of Syria, and Ibrahim lost no time in following up his success. The Porte, trembling on the banks of the Bosphorus, had been able, by great exertions, to send forth a formidable army, un-

der the command of Hussein Pacha. Ibrahim, having entered the pachalick of Aleppo, advanced, without meeting an enemy, as far as Antioch, where he learned, that Hussein, at the head of 36,000 men, had taken post at Beilan, between Antioch and Scanderoon or Alexandretta, to guard the passages leading across the Taurus. His position could be approached only by a defile; he had strengthened it with batteries, and cannon were planted on the heights. Ibrahim, however, resolved to dislodge him. Having made his dispositions, he attacked the Turks on the 29th of July. Having silenced their batteries with his artillery, his troops carried the heights by main force. This was to the Turks the signal for route and confusion. Abandoning their cannon and baggage, and the whole mass of provisions which a fleet of sixty transports had shortly before brought from Constantinople, they suffered so complete a dispersion, that their commander, after the battle, could not collect 10,000 men.

The conquest of Syria was now completed, and the Porte seemed to be in no condition to attempt to wrest any part of it from the hands of the victor, and yet it was unwilling to acquiesce in the terms which it was likely would now be imposed by the conqueror whom it had treated as a rebellious servant, forgetting that he was more powerful than his master. Mehemet, instead of being inclined to give up any part of what he had acquired, resolved to shew that he was able to acquire more, and that he might dictate a peace in the capital, if he did not even transfer the crown to his own head. His armies had fought their way from Gaza to Scanderoon; the road to

Constantinople now lay open to them; the armies of the Porte had been annihilated; its fleets had not ventured to meet those of Egypt; panic and defeat had already done great part of his work. Ibrahim, therefore, again put his army in motion. He quitted Syria, passed the Taurus, and established himself in Caramania. The Otto-

man empire was tottering to its fall, unless the policy of the European states should interfere to prevent it, or Russia should realize her long-cherished schemes of aggrandizement by taking under her own protection those northern shores of the Bosphorus which the crescent was no longer able to defend.

## CHAP. XIII.

**UNITED STATES.**—*Discontents in the Southern States on account of the Import Duties—Refusals to pay the Duties—South Carolina annuls the Acts of Congress imposing the Tariff, and passes a Law for resisting the Federal Government by force—Message and Proclamation of the President—Bill for renewing the Charter of the Bank rejected by the President.*—**SOUTH AMERICA.**—**BRAZIL.**—*Insurrections in favour of the late Emperor—Basis of an Amended Constitution—Law for the Abolition of the Slave Trade.*—**BUENOS AYRES**—**BANDA ORIENTAL.**—*Revolution and Counter-revolution.*—**COLOMBIA.**—*Dissolution of the Republic, and formation of the three Republics of Venezuela, New Granada, and the Equator.*—**MEXICO.**—*General Santana declares War against the Government—Military Operations.*

**I**N the preceding volumes of our annals we have had occasion to record the dissensions excited in the United States by the heavy duties which Congress had imposed on the importation of foreign commodities. The states of the south treated the tariff as a partial and unjust sacrifice of their welfare to the interests, or the supposed interests, of the manufacturing states of the north. Year after year, from 1828, when it was first enacted, they had attempted to procure its repeal. In every session it had led to angry discussions, in which sentiments were openly promulgated that threatened a dissolution of the union; but on every occasion, the numerical majority of the northern states secured the victory. In the session of the present year, an act was passed which lowered the duties upon some articles; but it was far from meeting the wishes of Georgia and the Carolinas. On the con-

trary, the southern states, regarding it as a miserably scanty concession, and yet as the only amount of concession which the northern states were prepared to grant them, resolved to throw off the sovereignty of a confederation whose constitution enabled states, only their equals, to sacrifice their interests as if they had been inferiors. They asked, where was their independence, if they were to be governed, not for their own benefit, nor even for the general welfare of the union, but for the particular good of a certain number of its members. Were they bound to submit to the tariff, any more than the colonies had submitted to the far less injurious tea and stamp acts of the mother country? They had members, indeed, in congress; but how could they protect themselves by their representatives against the votes of a score of states, legislating for their own profit, and the injury of their neighbours, much more

than the British parliament had ever done in regard to the unre-presented colonies? The tariff bills were partial, unjust, and ruinous to the southern states; and being so, their character could not be improved by the fact that they emanated from a body in which the injured were allowed to complain, but not to complain with effect. The union consisted of independent states; if some of those states could not continue to be members of it, without submitting to the annihilation of all their most vital interests, this was a concession which could not be demanded, and it was time that so unequal an union should come to an end.

After the adjournment of Congress towards the end of July, these sentiments began to be sounded more and more loudly through the southern states, and the inhabitants began to refuse to pay the obnoxious impost duties. This was a virtual denial of the authority of congress, and it soon assumed a more regular and imposing form. South Carolina took the lead. In the beginning of November, a convention of delegates from all parts of the state assembled at Columbia, and, assuming legislative power, enacted an ordinance which brought them at once into collision with the federal government. By this ordinance the tariff acts of 1828 and 1832 were declared null and void, and not binding on the citizens of the state; and that, if the United States should attempt to enforce these enactments by naval or military force, or shutting the ports, the union was to be dissolved, and a convention called to form a government for South Carolina. As there was a considerable party by no means inclined to go to

such extreme lengths, it was farther enacted by the convention of "Nullifiers"—a name bestowed on them in consequence of their thus annulling the acts of congress,—that all officers of the state, civil and military, should take an oath on or before the 1st of February, (if in the state), to support the ordinance and the laws which might be passed in pursuance of it; otherwise their commissions were to be vacated as in case of death or resignation. The House of Representatives of Georgia did not go so far; but it voted a resolution "that if a southern convention be desirable, it is expedient for the state of Georgia to invite the states of Virginia, North Carolina, South Carolina, Alabama, Tennessee, and Mississippi to concur with her in electing delegates to a southern convention, which shall take into consideration the tariff system of the general government, and devise and recommend the most effectual and proper mode of obtaining relief from the evils of that system." They resolved, however, at the same time, that they abhorred the doctrine of nullification, and they deplored the proceedings of the convention of South Carolina as being "rash and revolutionary."

But the legislature of South Carolina, which assembled in the end of November, took even more decided steps in support of the ordinance than the convention which had passed it. The governor, in his speech, plainly recommended to both houses immediately to provide means for repelling force by force. An act was im passed, proceeding on the of the ordinance, and giving full effect of law, nullifying original tariff : 1828, modifying :



sion, from and after the 1st of February, 1833. It was farther provided, that if, after that period, any goods or merchandize should be seized for non-payment of the impost duties, the owners or consignees should be entitled to recover them by legal proceedings, as in the case of other unlawful seizures of personal property; that if the goods were removed, or refused to be delivered, the estate of the person so refusing or removing should be seized and sold to indemnify the owner; that imprisonment under any decree of a federal court for payment of the duties should be treated as false imprisonment; and that all judgments and process of federal courts, directed against any man's estate, for the recovery of such duties should be held, by the courts of the state, as utterly illegal. This act was immediately followed by another for organizing a military force to resist any attempt of the federal government to compel obedience. By this act, if the government of the United States should attempt, by the employment of naval or military force, to coerce South Carolina into submission to the nullified acts of congress, the governor was authorised to resist; and in order to render resistance effectual, he was empowered to order into service the whole military force of the state, or so much of it as he might deem necessary. In case of any positive act of coercion, or an intention on the part of the government of the United States to commit such an act, manifested by an unusual assemblage of naval or military forces in or near the state, or the adoption of any measures indicating a determination to employ such force, the governor was to issue his proclamation calling on

volunteers. He was likewise directed to cause the militia who should not have volunteered their services to be divided into four classes, and, should the public exigency require it, to call them into service by classes. The governor was authorised to purchase for the use of the state, ten thousand stand of small arms, with the requisite quantity of ammunition, and such ordnance as he might deem advisable.

While civil war, and a dissolution of the Union seemed thus to be approaching, General Jackson, his four years having expired, had been re-elected President. He lost no time in assembling Congress. In his message, the attitude assumed by South Carolina, and the financial legislation which had occasioned it, necessarily formed leading topics. He stated that reflection had only strengthened the opinions, which he had expressed on former occasions, of the impolicy of high protecting duties. It was due to the interests of the different States, and even to the preservation of the Union itself, that the protection, afforded by existing laws to any branches of the national industry, should not exceed what might be necessary to counteract the regulations of foreign nations, and to secure a supply of articles of manufacture, essential to the national independence and safety in time of war. Upon investigation, he believed it would be found, that the legislative protection granted to particular interests was greater than was indispensably requisite for those objects. He recommended, therefore, that it should be gradually diminished, and that, as far as might be consistent with those objects, the

whole scheme of duties should be reduced to the revenue standard, as soon as a just regard to the faith of the government, and to the preservation of the large capital invested in establishments of domestic industry would permit. That manufactures, adequate to the supply of domestic consumption, would, in the abstract, be beneficial to the country, there was no reason to doubt. But even for this purpose, the Tariff of high duties, as a measure of perpetual protection, had entered into the minds of but few statesmen. The most they anticipated was a temporary and generally incidental protection. Experience, however, made it doubtful whether the advantages of this system were not counterbalanced by many evils, and whether it did not tend to beget in the minds of a large portion of citizens a spirit of discontent and jealousy dangerous to the stability of the Union. In some sections of the republic the influence of the system had been deprecated as tending to concentrate wealth into a few hands, and as creating those germs of dependence and vice which in other countries characterized the existence of monopolies, and proved so destructive of liberty and the general good. A large portion of the people in one section of the republic declared it not only inexpedient on these grounds, but as disturbing the equal relations of property by legislation, and therefore unconstitutional and unjust. "It is my painful duty to state, that in one quarter of the United States, opposition to the revenue laws has arisen to a height which threatens to thwart their execution, if not to endanger the integrity of the Union. Whatever

obstructions may be thrown in the way of the judicial authorities of the general government, it is hoped they will be able peaceably to overcome them by the prudence of their own officers and the patriotism of the people. But should this reasonable reliance on the moderation and good sense of all portions of our fellow citizens be disappointed, it is believed that the laws themselves are fully adequate to the suppression of such attempts as may be immediately made. Should the exigency arise, rendering the execution of the existing laws impracticable from any cause whatever, prompt notice of it will be given to Congress, with the suggestion of such views and measures as may be deemed necessary to meet it." The message was followed, on the 10th of December, by a proclamation, in which the President both argued the question with Carolinian Nullifiers, and announced that he would not hesitate to bring them back to their duty by force. "A small majority of the citizens of one State in the Union have elected delegates to a State Convention: that Convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of the Union. The Governor of that State has recommended to the Legislature, the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but a state of things is hourly apprehended, and it is the intent of this instrument to proclaim not that the duty imposed on me by the Constitution 'to take

that the laws be faithfully executed,' shall be performed to the extent of the powers already vested in me by law, or of such others as the wisdom of Congress shall devise and intrust to me for that purpose; but to warn the citizens of South Carolina, who have been deluded into an opposition to the laws, of the danger they will incur by obedience to the illegal and disorganizing Ordinance of the Convention. The laws of the United States must be executed—I have no discretionary power on the subject—my duty is emphatically pronounced in the constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion; but be not deceived by names; disunion, by armed force, is treason."

In his message the President announced that the public debt of the United States would be all paid off in the course of 1833. During the four years of his presidency 58,000,000 of dollars had been applied to its extinction. On the 1st of January 1833, the debt, both funded and unfunded, would amount to only seven millions of dollars, of which 2,227,263 were not redeemable till January 1834, and 4,735,296 not redeemable till January 1835. But as the commissioners of the sinking fund had authority to purchase the debt at the market price, and the funds of the treasury were ample, it was hoped that the whole would be discharged in 1833.

The President, however, seemed

to have adopted a mortal antipathy to the United States Bank. There were still about three years and a half of its charter to run and a bill was introduced to renew it. The bill encountered considerable opposition, ostensibly on the ground that the Bank was a source of influence inconsistent with the constitution, but truly because it was an inconvenient competitor to the private bankers, because it had branches in almost every state of the Union. The bill passed both houses of Congress, but was rejected by the President. This exercise of his veto was imputed to electioneering objects. The Directors of the Bank had opposed him in his administration; he dreaded their influence in the ensuing election, and wished to gain the support of the local bankers, who were hostile to the general establishment. In his message to Congress, after his reelection, he even attacked the solvency of this great National Institution, in which the federal government held stock to the amount of seven millions of dollars. After complaining of some arrangement which the bank had made with the holders of the three per cents, he added, "Such measures as are within the reach of the secretary of the treasury, to enable him to judge whether the public deposits in that institution may be regarded as entirely safe, had been taken by him; but as his limited powers may prove inadequate to this object, I recommend the subject to the attention of Congress. An inquiry into the transactions of the institution, embracing the branches as well as the principal banks, seems called for by the credit which is given throughout the country to many

serious charges imprecating its character, and which, if true, may justly excite apprehensions that it is no longer a safe depository of the money of the people."

In South America, BRAZIL, under its infant Emperor Pedro II. was disturbed by various plots, which had for their ostensible object at least, the restoration of his dethroned or abdicated father. The most serious of them had been planned at Pernambuco, and the tutor of the young emperor was accused of having been engaged in it. It was to have broken out on the 18th of April, but the governor, having gained intelligence of its progress, took measures which brought it three days sooner to an issue. Several persons, who were to have taken part in the insurrection, were ordered to be arrested. When this transpired, the whole of them fled to the bar of the Recife, where a battalion composed chiefly of naturalized Brazilians was quartered. These troops were induced to join the insurgents, who then took possession of the fortress of Bruni, for the purpose of securing their retreat. From that position they sent certain conditions to the governor, which, however, were not listened to, and an order was given that they should be attacked. A conflict immediately commenced between the national troops who remained faithful and the insurgents, and, after a struggle of thirty-six hours, ended in driving out the insurgents, while an armed mob commenced a series of outrages against the Portuguese, of whom a great number were butchered in cold blood. Disturbances of the same kind, broke out nearly simultaneously with the insurrection of Pernambuco, at Rio

Negro, Villa Nova, and Santarem; but were quelled by the military, and the hatred of the Brazilians against every thing supposed, however groundlessly, to be undertaken for Portuguese objects.

The legislative assembly was chiefly occupied with declamations regarding the bases of a new constitution. The principal articles on which they finally agreed were the following: The Constitution shall acknowledge but three political authorities—viz., the legislative, the executive, and the judicial, and shall distinctly set forth the powers, duties, and prerogatives of each branch of the legislative authority separately, and of both conjointly; such changes being made in the present arrangements in that respect as may be judged necessary. The deputies shall be elected for two years, which shall be the duration of each legislature. The senators shall also be elected for a stated period, one-third of the whole number to be chosen at each renewal of the Chamber of Deputies. The manner in which this election is to be conducted, and the order of displacement of the senators, will be expressed in the constitution. The executive may refuse its sanction to a law, declaring the reasons for so doing in writing; but if, after such refusal, the law be again approved by both Chambers, it shall be considered as passed, and promulgated accordingly. The public revenues shall be divided into national and provincial; the taxes and duties for the expences of the general government shall be fixed by the National Assembly; those for each province, by its legislature. During the minority of the Emperor, the realm shall be governed by a regent or vice-regent elected

by the provincial assemblies, the votes to be examined and verified by the National Assembly: and the council of state shall be abolished." The Assembly, however, did not enact these changes. It only promulgated them as themes for consideration, and decreed that the electors should empower the deputies, whom they might send to the next legislature, to alter or abolish all articles of the existing constitution with which they might be inconsistent. A much more useful measure, if faithfully executed, was an act which passed, abolishing the slave trade. It declared all slaves who entered the ports or territory of Brazil free, with the exception of slaves belonging to, and actually employed in, vessels of countries in which slavery was still allowed, and slaves who had fled from a foreign vessel or territory. Importers of slaves (comprehending the freighters, masters, and mates of the vessel, all persons interested in the transaction, knowingly supplying funds towards it, assisting the landing of the slaves, or permitting it on their estates) were made liable to the same penalties as if they had reduced a free man to slavery, namely, a fine for every slave imported, and the expence of re-exportation to Africa. The same act prohibited, under the same penalties on the master and mate of the vessel which might bring him, the landing of any free man who was not a Brazilian.

In BUENOS AYRES, although the partizans of the Unitarian party still attempted to maintain their ground, the capture of their leader Paz, and the success of the Federalists under Queroga, had so broken their strength and damped their ardour, that the Argentine

republic enjoyed, during the year, comparative tranquillity. The governments of Cordova, Corrientes, Mendoza, and St. Jago, gave in their adhesion to the federative system for which the capital had so long contended. The republic, however, ran some risk of a collision with the United States, in consequence of an American ship of war destroying an establishment belonging to the republic on one of the Falkland islands. The Republic demanded satisfaction; the United States sent an envoy. The negotiation terminated unfavourably. The American envoy demanded, and received, his passports. The Argentine government accused him of having come prejudiced to the negotiation, and associated with companions at Buenos Ayres who gave him bad advice, and they declared their determination to assert, to the utmost of their power, their right to the Falkland islands.

If Buenos Ayres was quiet, its neighbour, the infantine republic of Monte Video, or the Banda Oriental, or, by still another name "The Oriental Republic of the Uruguay" began already to play its part in the game of military revolutions and counter-revolutions. Its President, Ribeira, was attacked at his head quarters on the 29th of June. His escort was disarmed, and he himself narrowly escaped. On the 3rd of July, a Colonel Gurzon put himself at the head of a battalion of infantry, and, being joined by a number of the inhabitants, disavowed the government of the late President, whom he charged with having placed the country in danger of civil war, and issued a proclamation, appointing General Juan Antonio Lavalleja, commander-in-



chief of the army, until the House of Assembly should otherwise determine. This appointment was afterwards confirmed by the legislative body, which also intrusted to the chiefs of the force which had taken up arms the preservation of the public peace. On the 9th of August, the counter-revolution took place, the black troops declaring in favour of Ribeira. At first the Judge of Police was induced to call on the English and American Consuls to request assistance from their national vessels of war to protect the town from pillage. The alarm soon ceased, as the majority declared for Ribeira. Tranquillity was re-established, until Lavelleja, who forthwith began to look about him for allies, should be powerful enough to overturn the counter-revolution.

In COLOMBIA the contending interests of the separate states, which the supremacy of Bolivar had for a time suppressed, but without preventing the constant increase of jealousy and dissension, now produced their natural fruits. The republic fell in pieces, and out of its fragments were formed three different commonwealths. Even before the resignation of Bolivar, the northern provinces had disowned the general government, and elected their own separate congress. They now formally constituted themselves into a separate republic, under the name of Venezuela. General Paez, who, although a companion in arms of Bolivar, had, on former occasions, shewn himself ready to resist the government of Bogota, was elected President. He speedily put down the dying efforts of the partisans of the former system. When they found neither favour in the country, nor assistance from their

neighbours, they tendered conditions of submission, retaining their military rank and their rights as citizens, to which Paez prudently assented. The special privileges which had been granted by Bolivar to the military and clergy were abolished; all classes were made amenable to the same tribunals; economy and retrenchment were enforced, for the penury and wretchedness which prevailed were great. Many of the exorbitant duties which had been laid on exported goods were reduced to a half or a third; some articles were freed from them entirely; and the duties on importation were considerably modified.

The independence of Venezuela being established, the government of Bogota frankly admitted that it was no longer either proper or convenient to keep up a semblance of authority over countries which had entirely seceded. Bogota, therefore, and the other central provinces of the former Colombia, along with Popayan, incorporated themselves into a second republic under the name of New Granada. A convention was assembled to fix its constitution, and elect its governors. Nothing could shew more clearly the distance by which Bolivar had been separated from the real sentiments of the people, than the conduct pursued by this convention towards general Santander whom Bolivar had exiled as an enemy to his own supremacy, on a charge of having been involved in a conspiracy in 1828. One of the first acts of the convention was to pass a decree inviting Santander "to return to the bosom of his country, to lend her his important services in the defence of liberty and the support of the laws." It farther declared



that the officers, who had suffered death under the pretext of the affair of September 1828, had been "judicially assassinated"; the sentences were rescinded, and their memories and families restored. In his absence, Santander was elected president of the new republic by forty-nine voices out of sixty-three. He immediately quitted the United States, where it was said the government had wished him to enter its service. He disembarked at Santa Martha on the 16th of July, was received with acclamations by the people and authorities, and proceeded in triumph to Santa Fè through the country, from which, four years before, he had been sent into banishment, happy to escape with his life.

The third state formed out of the ruins of Colombia consisted of the western provinces of Guayaquil, Quito, and Assuai, and took the name of the Republic of the Equator. General Flores was placed at its head. The new state, and its neighbour New Granada were not agreed in regard to boundaries, and the dispute became the subject of negotiation. The Equatorian commonwealth had reckoned on counting among its members the adjoining maritime province of Popayan; but that province had been induced to unite itself with New Granada, to which it was of importance to have uninterrupted communication with the Pacific. The government of the Equator had offended, too, the religious prejudices of their neighbours by treating the clergy like other citizens. It imposed on the power of the clergy certain restrictions which were blamed as going the length of disowning the unity of the Catholic church, and in-

terfering with its obedience to the pope. General Flores, in levying a contribution, though he exempted the hospitals and receptacles for the poor, would show no favour to the priests. In virtue of extraordinary powers given him by the representative body, he extended to all classes of society, including the clergy, the military, and the convents, the personal tax, which fell formerly exclusively on the Indians. In order that the burden might be imposed on the contributors according to their means, he divided them into nine classes who were to pay from 1 to 100 dollars within the space of six months.

MEXICO, after enjoying a year's repose from revolutions, again became the scene of civil war. General Santana, governor of Vera Cruz, already a distinguished leader in all popular dissensions, had submitted unwillingly to the government of the President Bustamente, and had become tired of inactivity. In the month of January, he formally renounced obedience to the existing government. His ostensible grounds of quarrel were, that the administration favoured a central system of government—that it was hostile to civil liberty and individual rights—that it had refused to execute the laws for the expulsion of the old Spaniards. His real object was, to prepare the way to the presidency either for himself, or for Pedrazza who had been compelled, in 1829, to take refuge in the United States from the enmity of the party which now prevailed. His garrison of about three thousand men unanimously adhered to him; he brought into his interest the commandant of the fortress of San Juan de Ulloa, which would afford a

safe retreat in case of failure; and he was joined by General Montezuma, the governor of Tampico. The government of Mexico, after some fruitless negotiations, dispatched an army under General Calderon to besiege Vera Cruz, and another, under General Teran, to reduce Tampico. The former did not prosecute his operations with much vigour. He repulsed an attack made on his position by Santana; but the latter harassed him by frequent sallies, cutting off convoys of provisions and money, and reinforcements of troops which, were marching to join him. To these evils was added the violence of a contagious disease; and, at length, on the 13th of May, the besieging army not only raised the siege, but fled from its intrenchments as if panick-struck, abandoning its artillery and ammunition. Santana dispatched his cavalry to harass them in their flight; and four days afterwards, leaving a thousand men in Vera Cruz, he marched at the head of the main body of his army upon Mexico itself. His appearance in the field brought in numerous recruits, and encouraged other places openly to join him. The fortress of Perote, between Xalapa and Mexico, declared in his favour; and General Teran found it necessary to raise the siege of Tampico, and retire nearer to the capital.

General Calderon had rallied his troops between Xalapa and Vera Cruz, and had been joined by a strong reinforcement. Santana came in sight of him on the 13th of June at Corral Falso, within four leagues of Xalapa, and prepared for battle; but Calderon, whether dreading the result, or acting under the instructions of his government to gain time, sent

a flag of truce proposing terms for a suspension of hostilities, while commissioners of both parties should meet, and endeavour to arrange amicably the existing differences. Santana agreed to the terms; he drew back his troops to a certain distance from Paente Nacional where the conferences were to be held, and the government troops retired behind Xalapa. General Montezuma refused to enter into a similar armistice with Teran, but marched from Tampico in pursuit of him, for he judged that the conferences would end in nothing. He was not disappointed. Santana insisted on the deposition, or abdication, of Bustamente from the presidency, as an indispensable preliminary; and this being refused, hostilities were renewed. The friends of the insurgents were daily becoming more numerous. The provinces of the south-west coast declared in his favour; Chiapa, Victoria, and Tamaulipas rose in favour of the return of Pedrazza. Bustamente lay under the farther advantage of not appearing now to have even a legal title; for the 1st of September, the day for the election of a president, had gone by, while the state of the country rendered an election impossible. Bustamente himself marched northward, to oppose Montezuma who was advancing on the capital from Tampico. General Facio, who had superseded Calderon, was opposed to Santana. Santana attacked and defeated him on the 1st of October, and, on the 5th entered Puebla, where he was well received. From thence he marched upon the capital, and laid siege to it in the end of October. On the approach, however, of Bustamente himself, who had hastened back from Po-

tosi, and was now within twenty leagues of the capital, Santana raised the siege on the 6th of November, and marched to meet him, while the army of Montezuma was pressing him from behind.

The Mexican Congress terminated its sittings after investing the executive with full powers to ter-

minate the war in the manner most favourable for the public interests —so completely were these republican legislators the mere sport of military chiefs. The exiled Pedrazza, for whose restoration the war had ostensibly been undertaken, arrived at Vera Cruz from New Orleans on the 5th of November.

it appeared that, although the case of pasteboard, which was produced as found in the letter-box, would contain six or eight ounces, yet it contained in fact only an ounce and a half. No assignable motive for the defendant's conduct came out in evidence; on the contrary, the postmaster, on his cross-examination, said he never knew the defendant before, personally, or by name. The jury returned a verdict of *Guilty* of an attempt to destroy the letters only.

Mr. Serjeant Storks sentenced him to six months' imprisonment, a fine of 5*l.*, and to find two sureties of 50*l.* each to keep the peace towards Mr. Brown.

4. BRISTOL SPECIAL COMMISSION.—Thomas Evans Bendall, aged 19, and James Sims, aged 18, were put to the bar, upon an indictment, charging them with having, along with others, on Sunday, the 30th of October, riotously and tumultuously assembled, and pulled down, and destroyed, a certain dwelling-house, the property of Robert Gray, lord bishop of Bristol. There was another indictment for arson.

William Jones—was butler to the bishop of Bristol in October. His lordship was residing in the palace at the end of October. He left at 3 o'clock on the Sunday afternoon. Nothing occurred at the palace until 8 o'clock. Witness never stirred out the whole day. The mob broke in about 8 o'clock. There were large gates between Lower and Upper College-green. Those gates were about twenty yards from the palace, and led to the cloisters on the left, and the bishop's door on the right. No part of the palace, except the door, abutted on the court. The gates were attacked by a violent hammering, and, in about seven or eight minutes gave

way. The mob then approached the door and knocked out the panels. There were about 100 men and boys. On the breaking of the gates, witness went into the palace door, and closed it. About 100 persons came into the court-yard before the witness retreated and fastened the door. After going in heard a dreadful knocking at the door of the palace with hammers. The mob asked him to open the door, and witness refused: a man said "Peg away;" the door was struck, and the two lower panels were knocked out in a very few minutes. On the panels flying out the mob came in: he saw but three men, and then he retreated through a side window of the palace into the churchyard, and went over a high wall into Trinity-street from the churchyard, and came round again as fast as he could to the front door. There were a great many persons outside and inside the palace, some quiet and some otherwise. Remained until the soldiers came, and asked the commanding officer for three or four of his men, whom witness offered to lead; but he would not allow them to dismount. Remained until late, when nearly all the mob went away, and witness attacked some of them who were carrying away his lordship's property. The mob dispersed, the soldiers remained, and witness then entered the palace. The furniture, china, and glass, were destroyed, and four beds in different rooms, were found on fire. The ticken had been cut and coals put inside. The mob returned in about twenty minutes. The soldiers had in the mean time gone away. The mob caught witness in the pantry: a great many entered. They had hammers and iron bars in their hands. Witness had a scuffle

with them, when they threw several bars at him. He then retreated through the back staircase and dining room into the churchyard and Trinity-street as before. Came round a second time to the front door, and missed the soldiers. The palace was in flames in a quarter of an hour or twenty minutes. Some of the mob entered the chapter-house and chapter-room, and he saw them come through the window. Saw books burned from the chapter-room, and saw many brought out of the room. The people within handed them through the window, and the books were carried across the churchyard and thrown by them into a dressing room of the palace, then in flames. Witness remained in the churchyard till half-past 5 o'clock in the morning. The mob continued there all the time. Bendall, the prisoner, was one of them. Saw him first about 1 o'clock in the morning. Prisoner was employed in going to the window of the chapter room, taking the books and chucking them into the flames. Had a perfect opportunity of seeing the prisoner, and is sure he was the man. Witness was then afraid, and spoke only to one of the mob. There were several taking the books. When the mob arrived, the door from the cloisters to the burial ground was locked; it was subsequently forced open, though he did not see it done. Suspected that he was known to be the bishop's servant by the mob. Every body was too much alarmed to interfere to save the books. Some were saved for the dean and chapter.

Henry William Fedden went from Queen's-square, where several houses were on fire, to the burying-

ground, and saw the bishop's palace on fire. There were between *twenty* and *thirty* persons in the burying-ground, who conducted themselves in a very riotous manner. Saw books lying about. The prisoner Bendall was one of them. Saw him take the books from the chapter-room window, and throw them into the fire. He took one large book, stamped upon it, tore out the leaves, and threw it into the fire. Witness stayed there about three quarters of an hour, and then went to Queen's-square, where the fires were still burning. Saw Bendall in Queen's-square, opposite Mr. Miles's counting-house, which at that time was on fire. Bendall was destroying some books and furniture in the square. Had seen Bendall before that day. He had, when in the square, a bludgeon or hammer in his hand. Had seen the prisoner standing in the old market with a petition several times, for several days. Is certain he is the person he saw in the square and in the burying ground.

John Otton took Bendall into custody, who said that he had not set any house on fire. Did not persuade him to confess. He had tape round his hat and arm, and a staff like a constable. He was in bed when taken, and had these things on after he was dressed. There were five more young men in bed in the same room. He said he belonged to the Union, and that he had 4s. a week allowed him. Witness did not state on examination before the magistrate any conversation with the prisoner about the bishop's palace. Did not ask any thing of the prisoner about the bishop's palace. Sent him in handcuffs from his house.

John Robins. — The prisoner  
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James Simms was at the bishop's palace about twelve o'clock, and had a stick or bar in his hand. He stood on the burial ground near the chapter-house window. The opposite windows of the palace were all burned, and the fire was blazing. Simms broke the windows of the chapter-house with either a crow bar or a bludgeon. Saw books brought out of these windows and thrown towards the fire. Remained there until the mob came. Witness said to Simms, "you are hard-hearted." The prisoner laughed. Did not see Simms strike any one. Witness left him at the palace. Met Simms again in Redcliffe-street, where he expressed a wish that he had had some person with him, that he might either have won 10*l.* or lost 10*l.* He had nothing in his hand.

Some witnesses were examined on behalf of Bendall, to show that he was a person of weak intellect. The Jury found both prisoners *Guilty*. They were transported for life.

On the 11th and 12th, the commission was occupied with the trial of Christopher Davis, charged with having, with others, riotously and tumultuously assembled on Sunday the 30th of October, and demolished and destroyed the new gaol. The prisoner seemed to be greatly affected by his situation, and wept much, while the jury were sworn in. His appearance and manner were those of a respectable man. He was considered a sort of ringleader in the riot. He had absconded, and was discovered, concealed in Somersetshire, only after the commission had begun its proceedings.—Edward Culliford, a grocer in Bristol, was in Queen-square from half-past

eight o'clock on the Sunday morning until half-past two. There was a great number of persons riotously assembled, heaving stones and bottles at the Mansion-house. Saw the prisoner there about one o'clock. He was standing opposite the Mansion-house, in the red path inside the railing of the square. Then the mob was rather quiet. Heard the prisoner abusing the corporation, the bishops, and the parsons, as loud as he could speak. Prisoner also wished that hell might open and swallow up all the churches and bishops. He had an umbrella in his hand, and was waving his hat.—John Gilbert was in Queen-square, on the Sunday of the riots, about one o'clock in the afternoon, under the piazzas of the Custom-house. There was a multitude of people there. Saw prisoner Davis, who addressed witness. Had known him before. He said "This is the end of your d—d magistrates and bishops, and we'll send them all to hell." He said this in an angry tone of voice, and loud enough for every one near to hear. He also called them d—d robbers, and that he would have them in chains in Queen-square, if he had his will.

Thomas Davey kept a public house, about a quarter of a mile from the Bridewell. Remembered the Sunday it was destroyed; the prisoner was at his house, between two and three o'clock that day and had a glass of beer. John Cross was with witness in his parlour. Prisoner said there were pretty works, or fine works, going on. He said he had expected such for a good many years. Prisoner appeared to be fresh in liquor; he said that he was almost tipsy, that he had been up all night, and had



been down in the square. Witness said he hoped he had not been drinking any of the wine, and prisoner said he had. He also said he wished that every—— church in Bristol was burnt down.

Cross-examined.—Had known the prisoner fourteen or fifteen years before. He was in the habit, when in liquor, of expressing himself in a violent and extravagant manner. The language referred to was addressed merely to witness as conversation, and not to excite any one to mischief.

Hugh Wickham.—While sitting in the front room of his master's house on the Sunday, heard loud talking in the street. This induced him to go to the window. It was a little after one o'clock. Saw prisoner with an umbrella in his hand, and from twelve to fifteen persons standing round him, who said "Down with those churches and mend the roads with them," pointing at the same time to St. Michael's church, which was close by. Davis kept on talking until he turned the corner of Bridge-street, when witness saw no more of him. Davis appeared to be going towards the bridge, and the people with him dispersed, some one way and some another.

John Abraham Parker was in Bristol on the Sunday referred to. The Bridewell was burned about one o'clock, and on hearing of the occurrence witness went out. Went to Queen-square through the avenue leading to the back of the Mansion-house: there were very many persons there, some throwing stones at the Mansion-house, and a great number looking on. Mr. Davis was then under the window of the banquetting room, an umbrella in one hand and his hat held up over his

head. Heard him say "Hurra, go it my boys." It was not said at the extreme pitch of his voice, but so loud that he could hear it at the opposite side of the street.

Cross-examined.—Had known the prisoner for several years. Had often seen him excited in liquor, and if any body expressed political sentiments different from his, he used to express himself in a peculiarly extravagant manner. Notwithstanding his violence of language, from his knowledge of Davis he would have supposed him incapable of any atrocity, and was very sorry to see a decent man like him on that Sunday. It was between two and three o'clock he saw him. Did not see any one engaged in preserving the peace on that occasion. Witness passed through the crowd very rapidly. Did not see any special constables. Did not observe whether Davis was excited from liquor, but he was in a state of excitement. His hat was swung round his head, his umbrella in his other hand resting on the pavement.

Daniel Underwood, a boatman belonging to the Custom-house.—There was rioting on Saturday evening; the prisoner was at the Mansion-house, and was cheering the mob. Witness saw prisoner on the Sunday, opposite the new city gaol; not opposite the door, but opposite a part of the wall. That was between three and four o'clock. There were great numbers of people about him, looking on, and some were breaking open the gaol door. Prisoner had his hat on when witness first saw him; and afterwards he took it off, and put it on his umbrella. Prisoner cheered the mob, and said "Now d——n ye, ye would not let us have reform. This is what ought to have been

done years ago." Saw prisoner the best part of an hour there. He put his hat on again : while he had it on the umbrella he was waving it. Saw the gaol door open, and the prisoners come out. There was a great deal of knocking before the door was opened. The crowd was very thick about the door. Prisoner was there when witness first went, and when he left.

James Edward Carver was detained for debt in the prison when the mob came there. Saw the prisoner in the gaol some time after the gaol was broken open. There were people near the prisoner, but he could not say he was with them. Did not hear him say any thing. It was asked whether all the debtors were out ; and it was said, that if they were the whole place should be burned. Great numbers of persons had entered the debtors' ward at this time. The language thus used seemed to be the general cry of the mob. Saw the prisoner only for a few minutes, and he was not in the room, but just outside the door. Many of the persons remained, others went away. Did not observe Davis go away. Could not say whether the prison was then on fire, but it soon was. Saw straw, and the tables were knocked from the rests on which they were fixed, and the ends of them were put on the fire. Davis he saw for only a few minutes, others remained an hour. When witness left, some hundreds of the mob remained, and he believed that all that was burned was then on fire. There were two yards between the lodge and the governor's house. The wings divide the house from the tread-mill. The three places were on fire together. Had never

seen Davis before, but could now say that he was there.

George Phipps.—Lived in King-street, and heard of the Bridewell being destroyed about one or two o'clock on the Sunday in question. Saw the prisoner and other persons coming up Back-street about two o'clock. There were from about 120 to 150. They were coming quietly. Prisoner was with them at their head, with an umbrella in his hand, merely swinging it, as if a person was playing with it. Heard him say "D—n their eyes, burn them; down with them." Knew Mr. Davis for twenty years. Witness opened one of his doors and called out, "Mr. Davis, Mr. Davis, for God's sake come in." Whether he heard him or no, could not say. It was eighteen or twenty feet across the road. Davis then used the expression that witness had mentioned. Saw prisoner again about five o'clock going toward Back-street, and a very few persons with him. They were not saying any thing. Davis then appeared decidedly tipsy, and he was so the first time he met him. Knew prisoner's manner so well, that he could say three glasses at any time would make him almost mad. It was from knowing the manner of the prisoner so many years, that witness, as an act of friendship, wished to take him from the mob. For twenty years he knew the prisoner to be a respectable and humane man, and if he was worth 10,000*l.* he would put it in his hands.

Peter Harvey.—Was on Sunday the 30th of October at Princes-street bridge. While there, he saw a great number of people coming, and there was shouting and hallooing. Saw prisoner in the midst of the mob. Did not hear him say

or see him do any thing. Just as the mob came up, prisoner took his hat off and put it on his umbrella and waved it. The mob was proceeding in the direction of the new gaol. During the time witness saw them, Davis was with the mob. Saw the gaol on fire, between half an hour and three quarters after the mob had passed. Saw Davis after the gaol was on fire at the bottom of Princes-street. He said to witness "I have been to the fire, and it was a beautiful sight, only it did not blaze fast enough to please one." He also said he hoped all the bishops would be hung, and the churches burnt. Prisoner said, that he had been with the mob, and liberated the prisoners, and some of them were timid in coming out; but they had told them that if they did not come out, they should be burned there. He was much intoxicated, and said he was at the Mansion house, and had partaken of the dinner that was intended for sir Charles Wetherell, which dinner was composed of roast beef, ducks, fowls, &c.; and that he considered it a disgraceful waste while so many thousands were starving. Witness went away from prisoner, and before he went, heard a man address him, whom, from his accent, he took to be an Irishman, saying "Mr. Davis, this is the blaze of liberty." Davis replied, "I wish I had had a hundred such men as you are with me last night." When he saw the prisoner first, the mob were about forty or fifty; but they increased to about 400 persons.

Wm. Wood spoke to the same facts. The prisoner, pointing to the burning gaol, said, "It is a glorious sight and beautiful," adding that he had predicted this

thirty or forty years ago; that he would not mind heading a mob of 20,000 men at any time; that it was an example to the whole world, and that it would not end there; that he hoped all the blasted bishops would be hung, and all the churches burnt.

John Howes, a servant under the dock master and toll collector at Prince's-street bridge.—About two o'clock, a great number of people came through his gate on the Sunday of the riots. They went towards the new gaol. After that, he saw people returning from the gaol at different times. Saw the prisoner that evening coming as from the gaol. Prisoner stopped at the toll-gate, and said, "Where now is your d—d corporation, your d—d bishop, and your d—d dock company?" His manner was as violent as his language. The toll-house was burned about five o'clock, and it was about four the prisoner was there.

Richard James, a carver and gilder.—Saw the gaol on fire. Davis spoke to him, and said "d—n your eyes, James, this is glorious: this is the sort of thing we want." Witness said it was not the sort of thing he wanted, and that Davis would not think so either, if he went home to bed. Davis said, "I don't care; we'll have every church in England down soon." He made the observation about going to bed, because Davis was very much intoxicated. Davis, when sober, would be the last man in England to speak in that manner.

William Harvey—was on College green near eight o'clock, on the Sunday of the riots. There were not many people when he went there first. A mob of perhaps from twenty to thirty came. His

attention was attracted to a number of people going along on one side of the Green towards the bishop's palace. They had iron bars, and rung them on the pavement as they walked along. Saw Davis there ; he came from towards the drawbridge end, to the deanery end. He had known prisoner for years. He came up to witness, and said, "The d—d bishops have brought all this on," or words to that effect. Witness said, that he thought the time was come when it behoved men to suppress their feelings, for the public good. Davis afterwards said, that he was sure this would come to pass, and that he could foretell it for twenty years. Soon afterwards he said, what a shame it was for one bishop to have 40,000*l.* a year, and so many people starving. At that time came a tremendous noise as of breaking doors from the palace. Just then there might be from twenty to thirty persons around, but at first there were only two or three. Witness then thought it prudent to withdraw.—Cross examined.—It would be 100 yards to go round to the palace. The sound of the breaking open the doors came over the houses, and the houses were interposed between them and the mob which committed the violence. Davis and he were separated from the mob. Witness took it that the prisoner expressed himself with regret that the bishops had caused all the mischief. Did not think he was desirous to take a part in the mischief, nor did he in any way incite the mob to mischief. Witness went away, and left prisoner surrounded by twenty or thirty people who had gathered together. He was continuing to converse with the people when witness went away.

William Perry, knew prisoner for three or four years. Saw him on the Sunday of the riot at the Albion in Prince's-street. He used violent expressions. Thought he was drunk. That was about one o'clock. Did not see him again till the Wednesday evening after. He came to witness's house about eight o'clock in the evening, and told him he feared he had got into an unpleasant situation. He had heard that the officers were on the look out for him. Prisoner stayed the whole night, and slept in the same bed with witness. He remained there the whole of the next day, and slept, and so he did on Friday, and until the Monday evening after the fires. Witness then accompanied him to Hill's-bridge. A gig was in waiting there, in which was Joseph Perry. He went away at six o'clock in the evening.

Thomas Crosbie, an attorney ; Was for some time in search of the prisoner. Inquired for him a week ago, at a house at Sutton Montes, near Sherborne, but in the county of Somerset. Found him there in an unfloored attic at the extreme end, between two joists—he was lying down. Prisoner said, "You have found me, then." Witness said "Yes ; you must come with me." He said he would, but he hoped they would do him no mischief. Prisoner added, when he said you have found me, "I am not here for stealing or for murder. I am happier now than from the time I left Bristol. I never should have left Bristol but on the advice of my friends."

For the defence, besides various witnesses who gave the prisoner an excellent character, evidence was adduced of occasional expressions of disapprobation directed by him,

during the Sunday, to individual acquaintances, against the proceedings of the mob.

The verdict was *Guilty*.

On the 12th of January, sentence of death was pronounced on Davis, on Wm. Clarke who had been convicted of setting fire both to the jail and Bridewell, and on Thomas Gregory, Joseph Kayes, and Richard Vines, who had been convicted of setting fire to dwelling houses. The other prisoners who had been capitally convicted were transported. The sentence upon Vines was commuted.\*

6. NOTTINGHAM SPECIAL COMMISSION. — George Beck was charged with having, on the 11th October, 1831, along with others, feloniously and tumultuously assembled, attacked, set fire to, and destroyed the silk mill at Beeston, near Nottingham.

William Turton, was employed at Beeston mill, on Tuesday the 11th of October. A mob came there on that day betwixt twelve and one; they appeared to come from Nottingham. There seemed to be betwixt 2,000 and 3,000. They came at first two deep, then three deep, and then became a regular mob. There might be about forty in the front rank. There was a man in front carrying a pole with some ribands at the end of it. That was the prisoner (identifying him). When the mob came up, Beck said, "This is the place," and the mob immediately threw stones at the windows of the mill. They marched a few yards farther till they came to the mill doors, and the prisoner said "Halt — front men fall round and do your duty." The front rank then marched to the door of the mill;

some with pump handles, some with iron rails and pallisading, and some with hammers. They broke the door, and somebody crept through. The doors were then flung open; the mob all crowded into the yard, and Beck, the flagman, along with them. I went to my workshop, which was near enough to see what was going on; I then saw the mob on the inside of the mill breaking the windows. There were silk and soap and candles thrown out of the mill. While one part of the mob was active in breaking the windows, others were breaking the machinery, and others setting fire to the place. The mill was burnt down. Every thing was consumed. There was a small house, in which the engineer resided that was also burnt. It was on fire at the same time as the mill. The mob continued there an hour or two. They were making a great noise. Some were crying out to the rest for throwing stones at the windows, while some of their own men were inside; there was also firing of pistols; the mob then dispersed and separated in different ways; a great many went towards the public-houses.

George Turton, the brother of the last witness corroborated his testimony in its most important parts. The workmen were going to dinner when the mob came; but came back at their approach. Witness implored the mob not to take bread out of the mouths of the many families dependent on the mill, but they took no notice, and in fifty minutes the mill was down. Saw some persons throw some liquid on a blind, and put it a-light under a wooden frame. Several of the mob called out, "Where's Mr. Lowe? we will cut him to pieces and frizzle him."

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\* See *infra*, p. 16.

The mob destroyed every thing in the house of witness's father, and then set fire to it.

Jemima Turton corroborated the last witness as to the burning of the mill and her house.

Mr. Lowe proved that the property destroyed was his. It was worth about 13,000*l.* or 14,000*l.*

Henry Doddsley, frame-work knitter: I saw on the 11th of October the meeting in the Market-place, and Beck there with a pole with some ribands at the end of it. They went up to Zion-hill, and there conferred as to where they should go. Some wished that they should go to Wollaton-park the seat of Lord Middleton. Others expressed a wish to go to Beeston. When they came to Wollaton-park, some said they ought not to go there, as there were too many soldiers there. One said to some of the men, "You must go to the back of the house," and they said they would. Others said, they would go into the mill and throw out some silk, and soap and candles, for it would be a pity for them to be burnt. The mob went on to Beeston. I did not go all the way. While I was in the park I perceived a great smoke in the direction of Beeston. When I left the mob, Beck was with them with the pole and ribands.—Cross-examined.—I was out that morning in the market-place waiting the arrival of the mail. I went to Lenton, because I had nothing else to do. I was sometimes in the middle of the crowd, and sometimes in the front. I was not in the ranks. I did not see any pallisades broken up. There was a great crowd before me before I got to the front. What happened before that, I don't know. I left the market-place before the mob. It might be

a week after this before I told any thing about it. I first told my master: that was on the Saturday. I was at the magistrates' on the Thursday; but that was on a bit of business different from this. It was concerning the "Colwick job." I went there that I might not get into any error, or have any complaint made against me. I was speaking to a friend near the gate, and when it was told I was there, I was sent for in, and told the magistrates that I had not been at Colwick, but I did not say a word about being at Beeston, though I went a mile on the road. I went to the magistrates on the Monday, because I was advised to go by my master, and by a person named Ireland. I knew as much about the matter then as now. I did not tell all the names then. I said that I saw many whose names I did not know, but I should know their faces if I saw them, and when I saw them I picked them out. I afterwards heard their names. I knew Hearson before, and Armstrong, and Tiddyman; but Beck I did not know.

Samuel Chambers deposed that he lived at Beeston, and kept a shop there; on the 11th of October, saw the mob come at about a quarter past twelve. Saw Beck there. He was the first man. The mob came on promiscuously and not in ranks. Saw Beck whom he knew before. He said, "Come along my lads." He led them up to the mill alone, and said "Go to work." This witness gave the same account of the setting fire to the mill, and said, that he saw Beck at the mill alone when it was on fire.

Mary Peering deposed, that she lived with Miss Jeffs, at Linton-terrace; saw the mob at about



eleven o'clock in the morning; they pulled down all the iron pallisades before her mistress's house; the soldiers came and dispersed them immediately afterwards; the mob took away all the long polings.

Thomas Ledger, a constable of Redford, deposed to the apprehending the prisoner on the 17th of October; did not tell him what it was for; had used neither promise nor threat to induce him to confess; asked him what he had been doing, as he was to be taken up. Beck said that Tom Smith pressed and made him go with them, that they gave him a stick, with tri-coloured ribbons, which he carried, and they halted on the Derby-road; that he was in front of the mob, and halted for the second time at Beeston silk-mill.

The Jury found the prisoner *Guilty*, but recommended him to mercy on account of his previous good character. The sentence of death, however, was carried into execution.

On the 7th, George Hearson, Thomas Shelton, and John Armstrong, were arraigned on the same charge. The two Turtons repeated the evidence they had given in the former case. George Turton saw Hearson on the premises with the mob when the mill was on fire. William Turton saw Shelton enter with the mob, and put some silk and soap into his pockets. He had an iron bar in his hand. George Turton, senior, saw Armstrong in the mob. Inquired afterwards of Armstrong about a chest of drawers which witness supposed had been destroyed when his house was burned, Armstrong said, he had helped to carry them away.

Henry Dodsley identified the three prisoners as having left the market-place with the mob. When

witness left the mob, prisoners were going with it in the direction of Beeston. Armstrong said that he would go into the top room of the mill, and throw out soap and silk; for it was a shame to have them burnt. Armstrong had a small bit of a stick in his hand; Hearson had also a small stick in his hand. He saw Hearson the next day after the burning of the mill, who said that he had been present at the fire. Armstrong also told him that he had been present, and witness understood him to say that he had thrown soap and silk and such things out of the window.

Charles Slater, saw the mob in the Castle-yard, and was driven with it by the soldiers. He went with the crowd to Beeston. Saw a man with a pole and ribands at the end of it. Saw the mob on its return pass Dr. Storer's house. Some of them came into his garden, and took up some carrots. Hearson was among them, and pulled carrots as well as the others. Some one asked what they had got, and Hearson said they had got money. Hearson, as well as some others, were armed with pallisades. When the mob got to Beeston, they met some women coming from the mill, and some one said to them, "Now, my wenches, for your mill; this is the last time you shall work in it." The mob then halted, and cried, "Now let's go to work." They then smashed the door, and when they got in they said, "Where's old Lowe; if we find him we'll frizzle him." Armstrong was battering the gate with a pallisade. He also saw a man named Forman. The mob was with him. They entered the mill, threw the things out of the windows, and the mob below caught them and broke them.

He saw a man named Thurman bring a lighted candle, which the prisoner Shelton took from him, and with it set fire to the window blind, which was thrown under the machinery, which then took fire. Armstrong helped to break the things with the pallsade. Saw him (Armstrong) returning back to Nottingham with some soap in his pocket. A man with him said, "They'll see what you've got; here's a pin, and pin your pocket (which was torn) up." Saw Shelton with a lighted candle in one hand and a burning stick in the other, and a bundle of candles under his arm. Saw Hearson smashing the windows before the mob went in.

Thomas Attenborough.—I saw the mill on fire; there was a great mob of people; the smoke had not yet burst forth; I saw Shelton there; he was, when I first saw him, opposite the mill door; I saw him afterwards come out of the door of the passage in the mill-yard, with an iron bar in his hand.

William Martin.—I keep a public-house, nearly opposite the mill at Beeston. I was on my way to Nottingham on the morning of the 11th of October; but meeting a large mob of persons going towards Beeston, I returned to my house. I did not see the mob going to the mill. Some persons, about twenty or thirty out of the mob, came into my house about twelve o'clock. The prisoner, Thomas Shelton, was one of them. Some asked for a half pint of ale. Some paid, and some did not. They remained about five minutes. I saw the mill on fire; that was about three quarters of an hour after the men left my house. Shelton returned to my house in about a full half hour after he had

left it. About 200 came in with him; he had an iron bar in his hand. The men went into all parts of the house and helped themselves. They took cheese, bread, and pork, and had beer and spirits. While the people were round me in the bar, I heard somebody, whom I believe to be Shelton, say, "We have done the job completely."

An attempt was made to prove an alibi in favour of Hearson, to this extent, that he could not have been at the mill before it was set on fire. Several witnesses gave all the three good characters.—Robert Townsend said, that the witness Charles Slater had lived with him as an errand-boy. He would not believe him on his oath. He (Slater) had robbed him. He had known nothing of him for the last three years.—Thomas Cockayne, the master of the Blue-coat School, stated that from what he had known of Slater, he would not believe him on his oath. He had not known him for the last three years. Witness had been subpoenaed in court, where he was engaged in reporting the proceedings for one of the Nottingham papers.

The Jury found the prisoners *Guilty*. In the case of Shelton, the sentence of death was subsequently commuted. On the 9th and 10th of January, six other persons were tried on the same charge. Two of them were convicted, and sentenced to transportation.

9. MURDER BY CONSENT.—OLD BAILEY.—Robert Hughes was indicted for feloniously shooting at Elizabeth Worsley, with intent to do her some grievous bodily harm. The said Elizabeth Worsley was also placed at the bar for feloniously shooting with malice

prepnese on the same day, to wit, the 22d of October.

James Bentley deposed that the male prisoner was in the habit of attending at his house in the capacity of an organist; that he stayed to tea on the evening of the 22d of October. The witness went to bed before ten o'clock, at which hour he was alarmed by the report of pistol shots in the room beneath him, on which he hurried down, and found his housekeeper, Mrs. Worsley, stretched on the ground with the blood trickling from her head, and the other prisoner was lying beside her, and apparently a corpse. The prisoner Hughes was blind of one eye, and pur-blind of the other.

Thomas Owen, a police-officer, was called into Bentley's house about eleven o'clock at night on the 22d of October. Found the two prisoners lying on the floor, bleeding from the head. The man was lying on his back, and the woman with her arms about her neck, crying out, "The Lord have mercy on me!" Having heard pistols fired, witness asked the two prisoners what was the matter? The man said, "I fired one pistol at her, and another at myself." Two pistols were lying near the male prisoner's feet. They were a pair of pocket pistols. The prisoners were afterwards carried to St. Thomas's Hospital.

William Benning, a police sergeant, deposed to hearing the male prisoner say that he wished he had done it effectually,—that he was in great pain,—that the doctors could not extract the ball, and he wished he had a piece of crooked wire, and he would extract it himself. The woman groaned, and the man said that he wished he had put her completely out of misery.

One surgeon stated, that the

woman was bleeding slowly from the ear, the bones of which were shattered. Witness could not say whether the wound was inflicted by a pistol ball; he found no ball in the wound, and he believed that none had been found to that day. The man was also bleeding from the ear. He said that he could feel a ball in the cheek, but witness could perceive none. Witness supposed that the wound in the man's ear was produced either by the ball or wadding of the pistol. Witness also believed that the wound in the woman's ear might have been produced by the wadding of a pistol, rammed tightly down the barrel, and fired close to the head. Witness considered the woman to be in a dangerous state from the effects of a concussion of the brain; when the symptoms subsided, the prisoners were sent to the hospital. Hughes said, that he had shot the woman first, and then himself.

Mr. Bowyer, another surgeon, who was present, said to the female prisoner, "Did you wish Hughes to shoot you? if you did, hold up your finger." The female prisoner held up her finger; but did not speak. She recovered her senses before she left the room, and spoke, but witness did not hear what she said. On the following Sunday saw both the prisoners at the hospital. Mr. Bowyer asked the woman if she wished Hughes to shoot her; and she replied that she did, and that she had removed her cap for the purpose.

Cross-examined.—If a pistol loaded with ball had been discharged close to a person's head, the ball must either have gone through the head, shattered the skull, or rebounded.

Mr. Phillips.—Do you mean to

say that a ball fired close against a person's ear would rebound?

Witness.—Such a thing has occurred.

Mr. Phillips.—Supposing the wound in the female prisoner's ear to have been made by a ball, is it likely that the ball would have rebounded?

Witness.—It might; for the pistols found in the room had not percussion-locks. Percussion-locks would give more force to the ball, and consequently lessen the chance of its rebounding. Search was made for a ball in the room, but none was found.

Mr. Baron Bolland, after consulting with the other judges, said that in every count in the indictment the male prisoner was charged with firing at the other prisoner a pistol loaded with a leaden bullet. There did not certainly appear to be any proof that the pistol placed against the head of the woman was loaded with a leaden bullet. If the question before the Jury respected the pistol which the man had fired against himself, it would have been his duty, though no bullet was found in the man's cheek, to submit the case to their consideration upon the man's own declaration, "that he had a ball in the cheek, and if he had a piece of wire he could extract it." But the question before the Jury did not respect that pistol; and though he might have discharged a loaded pistol against himself with the intention of destroying his own life, there was no proof that he had fired a pistol loaded with bullet against the woman; indeed, it appeared that no ball was found in the woman's head, or in the room after a search. Under these circumstances, he and his learned brothers considered that there was not sufficient proof

to sustain the indictment. The Jury acquitted the prisoners.

SUICIDE.—An inquest was held on the body of Colonel Brereton, who shot himself on the 13th, pending his trial before a court martial for neglect of duty as commanding officer of the military during the Bristol riots in October 1831. His housekeeper deposed that on the night of the 12th, the fourth day of the court martial, he came home about eleven o'clock, but did not retire to his bed-room for some hours afterwards. His usual hour of going to bed was about ten o'clock. Witness left him in the sitting-room after he came home, and she heard him walking about for some time. She saw him with pen, ink, and paper, and observed him throwing papers into the fire. It had been always his custom to visit his children ere retiring to rest, but he did not do so on Thursday night. The deceased went into his bed-room a little after two o'clock, and after the lapse of about a quarter of an hour, she heard a pistol fired there. On going into the bed-room, she beheld the deceased lying quite dead. The witness had latterly remarked a great difference in the manner of the deceased from what it had usually been, particularly during the last few days. He appeared to be a great deal worse since his attendance on the court-martial, especially on Monday, the first day of its meeting. He returned home that day, apparently much distracted. Before this period his spirits had been low, and she had remarked that depression of spirits ever since the time of the riots. For the last few days he was in the habit of walking through the room, and knocking the things about. He would ring the bell for witness,

and when she came, would speak to her as if he was out of his mind. He would then tell her that he did not know what he said. The state of his mind gradually got worse since Monday last. His footman deposed, that on the Tuesday night, the Colonel was rather down in his spirits; and on Wednesday night he was still worse. He could not speak of any peculiar change that he observed in his master's manner. On the last night he came home, he did not look at him, but held down his head, as if in trouble. He was always accustomed to speak to witness before.

Dr. Augustus Lewis Loinsworth, surgeon to the forces, knew Colonel Brereton first about twenty years ago, in the West Indies. During the last thirteen months witness had known him intimately, as he has been his commanding-officer in this district. Parted with the Colonel for the last time on Thursday night, at a quarter before eleven, at Reeves's Hotel. He shook hands with witness and another friend, and got into his gig to go home. Had been with Colonel Brereton from five o'clock that evening until the hour he mentioned, and had remarked that his manner was very peculiar. Indeed, for the last two months, from the period of the riots, he had been in a state of extreme agitation, and labouring under a great degree of excitement. That change of manner was more particularly observable on Thursday evening last, during which he gave the most inconsistent directions to his counsel, Mr. Erle. So altered was his manner on that occasion, that the impression on witness's mind when he parted from him was, that something unpleasant would occur

before morning. Recollects having said to Major Ellard, when he parted from him that night, that, "judging from the strong excitement under which Colonel Brereton appeared to labour, something wrong might occur before morning." Witness was not aware of his having received any wound or accident. His health, latterly, had not been good. He suffered under a visceral complaint, a derangement of the secretions of the liver, for which witness attended him, and which complaint was much aggravated by the state of mind in which Colonel Brereton had been for the last ten weeks. Indeed, he had been for the last three months in a state of feverish excitement. His pulse was high, his tongue loaded, and he had little or no appetite. The Jury found that the deceased had shot himself while under a temporary derangement.

19. SMUGGLING.—Some Custom-House officers having gone to search a house in the occupation of a man of the name of Cook, at the back of Zion-place, near the Fort in Margate, discovered in a lower room a secret entrance, just large enough to admit a man crawling upon his knees. The officers proceeded downwards upon an inclined plane towards the sea shore, to the distance of about 200 yards, passing under several houses, at the depth of many feet below the surface of the ground, until they reached the lower entrance, which opens on the north west side of the Clifton Baths. The mouth of this entrance was boarded over and covered with chalk and earth, rammed down in such a manner as completely to conceal it. There were found in the interior of the cliff, several trucks on wheels, and



Lord Tenterden, in summing up the evidence, reminded the Jury of the necessity of preserving proper discipline on board a ship, though the punishment to be inflicted for a breach of that discipline ought undoubtedly not to exceed the bounds of moderation.

The Jury deliberated in the box for some time, and after retiring, found a verdict for the plaintiff—**Damages 40*l.***

3. **FALSE IMPRISONMENT.—**COURT OF KING'S BENCH, WESTMINSTER.—*The King v. Sir R. Birnie and others.*—This was an indictment on the prosecution of Mr. H. W. Carmichael Smyth, against Sir Richard Birnie and Thomas Halls, Esq., the magistrates at Bow-street, and three of their officers, for falsely imprisoning the prosecutor on the 15th of September, 1830.

It appeared by the evidence that Mr. Smyth, having obtained a rule for a *mandamus*, to compel Sir Richard Birnie to hear a complaint which he had to prefer against Goddard and others, went on the day in question to Bow-street, to make the complaint. Sir R. Birnie and Mr. Halls were present. Mr. Smyth attempted to prefer the complaint, but Sir R. Birnie refused to hear it, and referred him to Mr. Halls. Mr. Smyth refused to make the complaint to that gentleman, observing that the rule was addressed to him (Sir R. Birnie). Mr. Halls then dismissed the case. Mr. Smyth was about to leave the office with his witness, when Sir Richard exclaimed, "Shut the door,—stop him,—don't let that man escape. Where is the man who has preferred the information against Mr. Smyth, for tampering with the due course of justice." Mr. Smyth, on attempting to get

out of the office, was pushed back by a man who was keeping the door. After some conference between the magistrates and several of the officers, Sir Richard Birnie called out, "That man is a pensioner,—we must see and get his pension stopped,—a pretty man to be a pensioner, tampering with the due course of justice." After Mr. Smyth had been detained about a quarter of an hour, Sir Richard Birnie quitted the office. Mr. Halls called repeatedly for Mr. Smyth, who said he had nothing to do with that gentleman—he only wanted his liberty. One of the officers told him he must come to Mr. Halls, or he would take him by force, and he immediately laid hold of him by the collar and dragged him to the bar. Mr. Halls then said to him, "As I understood that there was an information against you for tampering with the due course of justice, I considered it my duty to detain you; but now that I have read the charge, I don't think that I shall be justified in detaining you any longer—you are therefore discharged." Mr. Smyth declared he would have redress for this detention, and Mr. Halls told him he might do what he thought proper.

It came out on cross-examination that Mr. Smyth had previously applied at Bow-street for warrants against his wife, Goddard and others, and that his complaint was heard before Mr. Minshull, who refused to interfere further in the matter.

Mr. Adolphus, who addressed the Jury for the defendants, stated, that the prosecutor had offered some money to Goddard, the officer, as an inducement to give him information as to a man who had entered the window of a house which had been



taken by his wife ; and Goddard, in consequence of this, stated to the magistrates that he had to prefer a charge against the prosecutor of tampering with the due course of justice : and the learned counsel submitted that in point of law, as the parties were present, the magistrates had a right to detain the prosecutor, until the case had been heard.

Lord Tenterden was, however, of opinion that a magistrate had no right to detain a party on a matter to be heard, and the Jury, under his Lordship's directions, found a verdict of *Guilty*.

**SHIPWRECK.**—On the 12th of January, the ship *Huntley* commanded by Captain Hanna, sailed from St. Andrew's, New Brunswick, on the 12th ult. On the 4th of February, in lat. 49. 50., long. 21., nearly 1,000 miles from the coast of Ireland, she was struck by a heavy sea, which stove in her stern. The master and crew sought refuge in the tops, where they remained for two days. On the third day they succeeded in getting the long-boat out. Unfortunately, they could not procure any provisions, and the master and crew, sixteen in number, committed themselves to the mercy of the waves, with only the clothes they had on, without provisions, except a few pieces of raw salt beef, without water, and without even a compass. After having been buffeted about for some days, during which a boy died from eating the raw meat and drinking salt water, they made, on the 12th, Sline Head, and were descried from Boffin Island, about forty miles from Westport, on the coast of Ireland. A boat was immediately sent off to the assistance of the survivors, who were brought into

the harbour. It was with the utmost difficulty the inhabitants could be got to render assistance to lift them out of the boat, being impressed with the idea that they had come from a ship which had had the cholera on board. They were afterwards removed to the hospital at Westport. Two of the crew, the carpenter and a Dutchman, died before their removal. Some of the crew had been frost-bitten before they left St. Andrew's.

**ANATOMY.**—At the meeting of the Westminster Medical Society, the attention of the members was directed to a recently discovered method of teaching anatomy, by means of an artificial human body, the invention of Dr. Azoux of Paris. The learned foreigner was present on the occasion, but being unable to express himself in English, the demonstration of this artificial "subject" was undertaken on his part, and very clearly performed by one of the members of the society, Mr. Costello, the anatomist. This preparation exhibits a complete artificial human body, modelled upon that of a strong, athletic, well-formed man, of great muscular development, and when whole, its appearance is that of such a subject, stripped of the skin, with the muscles and other parts immediately underneath exposed to view. All the external muscles of the body, and the extremities are seen, placed precisely in their relative positions, with the superficial arteries and veins by which they are intersected, showing their origin from, and insertion in, the bones to which they are attached, the direction of their fibres, the connection of their fasciæ, or tendinous sheaths: not a muscle is omitted or out of place, down to the minute flexors and

extensors of the fingers and toes. All the parts of which it consists, and they amount to not less than 1244, can be removed one after the other, and in that way the muscles of the trunk and the extremities can be regularly demonstrated, the relative position of the external and internal muscles exhibited, the transit of the arteries, veins, and nerves clearly shown, and, in fact, each muscle and each organ from the skin down to the bone, can be removed, and replaced again in their natural position with the greatest facility. Mr. Costello, taking the arm in the first instance, and commencing with the deltoid muscle at the top, removed all the muscles down to the bone, demonstrating them accurately as he went along. Next removing the muscles that connect the shoulder with the neck and head, he drew the attention of his auditory to the correct view which the preparation furnished of the relative position of the parts immediately underneath, a knowledge of which is necessary to the surgeon in the great operation of tying the subclavian artery. He then removed the muscles of the chest and abdomen, and exhibited the contents of those cavities—the heart, lungs, and other viscera. The heart is divided into two pieces, which, when separated, exhibit its cavities with their valvular processes, and the connexion of the large blood-vessels which arise from it. Many parts most difficult of demonstration in the dead subject, such as the absorbent system with its final termination in that of the venous, the various portions of the brain with the origin of the nerves, the branching off of the nerves from the spinal cord, the course of the

great sympathetic nerve, the mechanism of deglutition, &c., &c., are here exhibited with wonderful fidelity. The muscles, and other parts are made of some peculiar paste, which, in its recent state, is easily moulded into any variety of forms; and which subsequently, on drying, assumes a degree of hardness and solidity nearly equal to that of wood. It has cost its author ten or twelve years of assiduous attention, but his successful labours have not been thrown away. A great number of his subjects have been already disposed of to various schools in different parts of Europe and America. The great object which Dr. Azoux aimed at in this invention, was to facilitate the study of anatomy, and to render a thorough knowledge of it, through the usual means of dissection, more speedily attainable on the part of the student, while at the same time such a preparation would serve as a map to recall to the memory of the more advanced practitioner what may be called topography of the human body. The cost of such a preparation is about 120*l*.

4. COURT OF EXCHEQUER.—*The Attorney General v. Shearn*. This was a prosecution at the instance of the crown to recover from the defendant, a soap-boiler residing at Bath, the amount of penalties incurred by him for a breach of the excise laws; and the charges were—first, fraudulently concealing soap; and secondly, opening the copper, and putting in the materials without giving notice to the officers of excise. The penalty for the former offence is 500*l*. and for the latter 100*l*. The quantity of soap seized was 1 ton 2 cwt. 22lb.

Mr. M'Laren, a surveyor-gen-

eral stated that, in May last, he went to Bath, and examined the premises which formerly belonged to the defendant, but were then in the occupation of another person—that he found a hole from the boiling room to a small long room, which then contained a quantity of soap. The hole was generally stopped up with a stone which was fastened with quick lime. The stone could be removed in a minute, and the soap could be handed through in buckets, and placed in frames there to cool. When he discovered this room, he found 3,696 lb. of liquid soap, in frames. Another surveyor-general of Excise, corroborated this witness.

James Hale.—I know the defendant. First became acquainted with him in 1828. I entered into a contract with him about some property which had belonged to sir Matthew Hale, my great great grandfather, or some such relation. The defendant employed an attorney for me. He was to have had a share of any thing that was recovered. Did not recover any thing. After we had failed, it was necessary for me to keep out of the way. Went to defendant's factory for concealment. Went there on the 17th of May, 1829, and stopped there till June. Kept in a room above the counting-house, and passed the day there. It was when I occupied that room that I first found the defendant's run soap. It was at night; the workmen did it, and I worked with them. We got the soap out of the copper, and put it into the concealed places. The copper was opened by a bar being placed under the lock, and the staple being forced off. We then took the soap out, and put it into buckets, and

handed it through the hole. There were two frames in the concealed place. (A model of the frames was produced). We put the soap in one night, and cut it out the next. I left off sleeping on the premises on the 13th of June. A man could not stand upright in the concealed room. Have seen them making soap at night, ten, twenty, or thirty times.

Cross-examined by Mr. Adolphus.—Have seen tallow put in, full ten different times. The Chancery motion went against me, and I had to pay the costs, for which I was sued. Made an agreement with Shearn not to pay costs, but I was called on to pay him 250*l*. The defendant arrested me last summer. I have said defendant had received 11,000*l*. not to proceed with my suit. Never told one Begby I would be revenged on him for such treachery. Never said, I would be revenged on the judge who tried the cause. Never said that I would at all events swear that I assisted the defendant in taking soap out of the copper, and in concealing it.

The wife of Hale corroborated his testimony as to the illicit soap-boiling.

Mr. Dean, a general-surveyor of excise, said that the defendant's mode of working was very unsatisfactory. There was an average quantity of soap at the boils by which the excise calculated, and in the present instance the defendant had frequently varied twenty-five per cent.

A London soap-boiler said, he had never known the boils vary more than five per cent from the average.

A number of witnesses were examined to corroborate the testimony of Hale and his wife. These

consisted principally of the officers connected with the excise.

Begby contradicted Hale in several particulars, and said that he was a very bad man.

The Jury retired at eight o'clock in the evening; and having remained inclosed till two o'clock in the morning, without any prospect of agreeing on their verdict, they were, by the consent of all parties, discharged.

9. LIBEL.—COURT OF EXCHEQUER.—*Hunt v. Lawson*.—This was an action for libel brought by the member for Preston against the Times Newspaper. Hunt acted as his own counsel; but the nature of the case will appear more distinctly from the charge of lord Lyndhurst. The action, his lordship said, was brought for alleged libels published in the Times of 26th of April and 2nd and 5th of May, 1831. In the paragraph published on the 26th of April, the term "recreant" was used as applicable to the plaintiff. According to his lordship's understanding of that word, it imputed to the plaintiff that he was an apostate; and according to the ordinary import of that term, it was used in an odious sense, meaning, for example, a change of principle—a change from some bad or improper motive. It was for the jury, however, to consider in what sense the word was used; and if, from the context or any other circumstance, they should be of opinion that it was not used in the sense which he had supposed, then it was not libellous, and the defendant would not be answerable. It might be proper to remark that the article did not appear to have originated in *The Times* newspaper; it had been copied from the *Sun*; but that circumstance fur-

nished no answer to the action, for no person had a right to take a libel from one newspaper and transfer it into another. The next article was that which was inserted on the 2nd of May. If the jury should think that it was meant to be insinuated in that article by the expression, "bought in a lump," that the plaintiff had changed his opinion for some improper and corrupt motive, it would be impossible, his lordship thought, to say that that was not libellous. It was asserted in another part of the libel that the plaintiff had stated a rank falsehood. Now, to charge a man with having uttered a rank falsehood was to charge him with that which affected his character, and was undoubtedly libellous. The statement did not appear to have been made by the newspaper; it was contained in a letter which purported to come from Manchester; but if the printer of the paper, receiving it in London, published it, he was liable. If they thought that these articles or any of them were calculated to degrade and lower the plaintiff's character, and to bring him into public odium, they ought to find a verdict in his favour. With respect to the question of damages, it had been said that *The Times* was a paper of great circulation, and was therefore calculated to do more mischief by the publication of libellous matter, than a paper of more limited circulation. On the other hand, it had been said, that the plaintiff, Mr. Hunt, being a public man, the public had an opportunity of knowing and estimating his character, and that articles of this description, if false, could not affect him in the same degree as they might affect a person in a more obscure situation,

and as to whose character the public might not have the means of judging. These were the topics which had been pressed on both sides. It was for the jury to take them into their consideration, and determine for themselves, whether the paragraphs were calculated to do the plaintiff that injury which he had expatiated on at so much length; and if they were, then they would consider what damages he was entitled to.

The Jury, after looking at some of the papers, and conferring together for about ten minutes, found a verdict for the plaintiff,—**Damages 50*l*.**

**13. EXECUTION.**—John Barrett, aged 24, who pleaded guilty to two indictments and was found guilty on a third indictment, for stealing letters containing notes to nearly 3,000*l*. in amount, under went the sentence of the law, in front of the Debtor's-door, at Newgate. About three o'clock in the afternoon of Sunday, his wife and child were admitted to take their farewell, and during the interview, and even at the very moment of their leaving him, his firmness did not desert him; he retired to bed at the usual time, slept soundly for six hours, and then rose. After joining the ordinary for a short time in prayer, he again went to bed and slept soundly until called by one of his attendants shortly after six in the morning, when he rose and ate a hearty breakfast. Shortly after seven he was visited by the sheriffs and under sheriffs; but to the last he maintained a sullen silence. About a quarter before eight, preceded by the sheriff's yeoman, and accompanied by the reverend ordinary and Mr. Baker, he entered the press room with a firm step,

and was pinioned.—He then ascended the scaffold, and after surveying the crowd, he placed himself under the beam and joined in prayer with Messrs. Cotton and Baker until the drop fell—he struggled violently for several minutes. He was of respectable connexions, and had been intended for the medical profession.

**15. RIGHTS OF THE THAMES WATERMEN.**—LONDON SESSIONS.—*The Master and Warden of the Waterman's Company v. Richard Grant.*—This was an appeal by Richard Grant, the pilot of the Royal Sovereign steam-packet, against a conviction of the Lord Mayor, whereby for an infringement of the act for the protection of watermen, &c., he had been subjected to a penalty of 10*l*., or three months' imprisonment, for having navigated the vessel in question, not being free of the Water and Lighterman's Company, or an apprentice to either of them.

The recorder now gave judgment. Previous to the 8th Geo. IV., upon which this conviction had been grounded, disputes had arisen, and it had been questioned by some, whether the citizens of London had a right to the conservancy of the river Thames. The Court of Conservancy had two objects in view, namely,—1st, preserving the fisheries; and 2nd, the preservation of the free navigation of the Thames; both of which were of great importance to the port of London. For a considerable length of time a company had been incorporated, called the Waterman and Lighterman's Company, relative to which acts were passed in the 7th and 8th years of the reign of Geo. III., and one of the provisions of those statutes was, "that no person should be admitted a free-



man thereof unless he had been apprenticed to a freeman of the company for the full space of seven years." The conviction now under consideration was founded upon the 37th section of one of the acts just referred to, and which imposes a penalty of 10*l.* upon "any person who, not being a free waterman, &c., or an apprentice to one, shall, for hire or gain, steer and work any wherry, lighter, or any other craft," &c. It had been argued on the part of the appellant that a steam vessel did not come under the definition of "a craft." It should be observed, however, that the words of the act were of an ascending and not a descending degree. They commenced with "wherry," and after naming other larger vessels, added "or any other craft." It had also been contended that as the steam-vessel was registered, it could not come under the denomination of craft; but there was no weight in that argument, because it was well known that by act of parliament, vessels of every description above fifteen tons burden were obliged to be registered. It had also been said that Faulkner in his *Marine Dictionary* had not designated vessels of the description alluded to as "craft." This objection was also unfortunate; for the same compiler, in a later edition of his work, made the term "craft" extend to large vessels, and even to gun boats and others frequently used for government purposes. Again, it had been suggested that this proceeding had been instituted for the advantage of a particular company: but that argument would not hold, because the act of parliament, instead of consulting private advantage, had reference to the safe navigation of

the river, which was a matter in which the public at large was interested. After all that had been urged, the simple question was—"Is it proper to apply the term "craft" to a steam vessel? The act appeared to contemplate two kinds of craft, the smaller and the larger: hence it was, that it commenced at the lowest, and went on progressively, a circumstance, which in the opinion of the court, appeared to fortify the view the lord mayor had taken, as well as to justify his decision. It was admitted that the company before alluded to were permitted to make by-laws; but before they could be acted upon, they must receive the sanction of the Court of Aldermen, and also of one or more of the Judges of Westminster-hall; and the 33rd by-law; so made and sanctioned would not allow a person in the condition of the appellant to row or steer any vessel for hire, unless he was a person free of their company. As a proof that the court and the legislature had cognizance over vessels of this description, it was well known that it had recently been enacted, that, when they were navigating between London bridge and Limehouse reach, they were not allowed to proceed at a greater rate than five miles an hour. Under all the circumstances, the Court were of opinion that the conviction was right; and the judgment was that it be affirmed.

22. COURT MARTIAL.—HORSE GUARDS.—At a general Court-martial, held at Edinburgh Castle, Colonel Richard Goodall Elrington, of the 47th Regiment of Foot, was arraigned upon the under-mentioned charge—viz.:—

For that he, colonel Elrington, having, on or about the 5th of



October, 1831, received from major Sadleir of the same regiment, then in command of a detachment of the said regiment, on its march from Edinburgh to Glasgow, a letter or report, stating (among other things), that on the 4th of the same month and year, at Bathgate, when the men of the said detachment were assembled, in order to receive their provisions, on the men of the first billet of the Grenadier Company thereof being called upon for that purpose, two privates of that company, who were first so called, peremptorily refused to receive their provision of meat; and, on being ordered to remove or take it away, one of the said two privates in particular loudly vociferated that he would not obey the order given to him, personally, by the said major Sadleir, to receive, or take away his meat, or to that effect; and the said letter or report further stated, that the said private was thereupon made a prisoner, and that some other men then were called in their turn, and took their meat and bread, but that a great many went away in a tumultuous and disorderly manner without being dismissed, or to that effect; and the said letter or report further stated, that the two before-mentioned privates were both in close confinement. And that the said colonel Elrington, although he, as aforesaid, received the said letter or report, reporting to him, as the commanding officer of the said regiment, the aforesaid conduct of the said men, such conduct being highly insubordinate, and of evil example, and mutinous tendency, and requiring the immediate care and attention of the commanding officer of the regiment, in order to prevent any recurrence of the same, and to improve and

uphold the discipline of the said detachment, yet he, the said colonel Elrington, did not acknowledge to major Sadleir the receipt of the said letter or report, nor did he give him any order or direction thereon, nor did he make or send to major-general the hon. Patrick Stuart, commanding the forces in North Britain, any report or statement of or touching the said letter or report of major Sadleir, or the facts therein set forth; nor did he for several days after the receipt of such letter or report take any steps whatever, in order to ascertain the cause which had led to the said improper conduct of the said men, or to prevent any recurrence of the same, or to improve and uphold the discipline of the said detachment.

“Such conduct of the said colonel Elrington being a gross neglect of his duty as the commanding officer of the said regiment, derogatory to his character as an officer, and prejudicial to good order and military discipline.”

Upon which charge the Court came to the following decision:—

“The Court having maturely weighed and considered the evidence produced in support of the charge preferred against the prisoner, together with his defence, and the evidence he has brought forward in support thereof, is of opinion that he is guilty of so much of the charge as follows—viz.: —Of not acknowledging the receipt of major Sadleir's report of the 4th of October, 1831, from Bathgate, or sending him any directions respecting it, although he received the same on the 5th of the same month, and of not making or sending any report to major-general the hon. Patrick Stuart,

commanding the forces in North Britain, touching the said letter or report of major Sadleir, or the facts therein set forth, and of not taking any steps whatever for several days after the receipt of major Sadleir's report, to ascertain the cause which had led to the improper conduct of the men at Bathgate. But the Court doth acquit him, the prisoner, of gross neglect of duty, and of conduct derogatory to his character as an officer." The sentence was, that colonel Elrington should be admonished.

22. AFFRAY WITH SMUGGLERS.—A fatal affray took place at Worthing, between a part of the coast-guard and a large party of smugglers and batsmen. The attention of two of the guards, Carter and Richards, was attracted by a boat making rapidly for the beach. Upon perceiving it they fired their pistols. The report of the pistols was immediately followed by a rush of between 200 and 300 men to the beach, the boat at the same moment coming to land. After having fired repeated signals, they were joined by two or three more of the guard, and pursued till they arrived at the entrance to the fields and pathway leading to Broadwater. Here the officers were joined by the commanding-officer of the station. He ordered his men to fire. They scarcely had time to obey, when they were closed upon, and knocked down by the bats of twenty or thirty men. Of the smugglers, William Cowardson was found dead in the field; one man was shot through the thigh; another in the foot; while a fourth had his shoulder laid open by a sabre wound. Several men were seen carried off in a disabled state. The commanding

officer had his left arm broken in two places, his ear cut open, and his head and body much bruised. One of the men had a rib broken, and another had his breast-bone fractured by a stone. The other men were all maimed in some way or other. An inquest was held upon the body of Cowardson, and the jury found a verdict of "Justifiable homicide."

28. CHARGE OF POISONING A FAMILY.—WINCHESTER.—Eliza Harding, fourteen years of age, was put at the bar, charged with having, on the 5th day of August last, administered, or caused to be administered, a poisonous nut called nux vomica, to Edward Boyland and his family, in the city of Southampton, with intent to kill and murder him. She was further charged with attempting to administer the poison.

John Randall deposed, that he was an assistant to Randall and Sons, druggists, of Southampton; that a young woman, whom he should not know again, came to the shop and asked for some poison to poison mice with. Witness sold her half an ounce of nux vomica.

Cross-examined.—Never knew death produced by nux vomica. The mere pouring boiling water on the nut, and allowing it to remain a short time, would not answer the purpose. It would be a long time before the interior of the nut would be affected by water. If the nuts were broken up and boiled in water, it would produce an infusion which might be poisonous in a small degree, but it would depend on the quantity whether it would be sufficient to produce death.

James Millar deposed that he lodged with the prosecutor, whose family consisted of himself, wife,

child, and witness. The prisoner was servant to the prosecutor. Witness took his meals at the same table with Boyland and his wife. They used the same tea-kettle, but had different tea-pots. On the 5th of August, Boyland made the breakfast. Witness remarked, that the tea had an unpleasant taste; it was very bitter; the prisoner afterwards came into the room. Boyland asked her where she got the water; she replied, "from the pitcher." Mrs. Boyland took the kettle out of the room: when she returned she showed me a bean which I afterwards ascertained to be *nux vomica*. Mrs. Boyland said: "Good God! here's toad's meat in the kettle."

Edward Boyland.—It was the prisoner's duty to prepare the breakfast. Before breakfast, on the 5th of August, the prisoner brought a tin cup into the room, which she put on the fire. Witness asked her what she had there, and she said it was something which she was going to take herself; looked into the cup, and saw it contain five beans; left her there, and went up-stairs, and heard the prisoner say, "I'll be curst if I don't." When he went down again, the tin cup was put outside the fender; made the tea in both pots, from water taken out of the same kettle; did not at first take any particular notice of the taste of the tea, nor until his attention was called to it by Millar. The prisoner at first denied all knowledge of it, but at last said it must have fallen in, as she had some in her hands.

The verdict of the jury was, *Not Guilty*.

29. STEAM EXPLOSION.—An inquest was held on the bodies of Abraham Worrall and his daughter

Mary, Mary Flavel, Sarah Burton, Thomas Tennant, and Hannah Price, all of whom were killed by the explosion of the engine-boiler of a screw manufactory at Bilston. Abraham Worrall was the only adult person amongst them, all the five others being under thirteen years of age. The witnesses stated, that by the explosion all the upper part of the boiler, from about twelve inches from the seat on which it was placed, was separated from the bottom part, and blown through the wall to the westward into the adjoining land. All the six persons above stated were violently burned and scalded by the steam, nearly all over their bodies, and particularly Abraham Worrall and his daughter. The explosion was so great, that it completely forced in one of the side walls of a shop, in which there were fifty persons at least, and the consequence was, that two of the floors and the roof gave way, and the persons in the shop were most of them buried for some time in the ruins, where they remained half an hour before they could be extricated, and before the ladders could be placed against the windows of the opposite wall. Some of the women and girls jumped through the shop windows. Besides the six persons killed, about forty other persons were badly injured.

29. COMPENSATION FOR INJURY DONE BY RIOTERS.—APPLEBY.—*Jackson v. the Inhabitants of Allerdale Ward above Derwent*.—Mr. Blackburn stated the case. The action was brought by Mr. Jackson, of the Black Lion Inn, in Whitehaven, for injuries which his house had sustained by the violence of a riotous and lawless mob. On the 28th of May last, being his Majesty's birth-day, a number

of gentlemen of Whitehaven and the neighbourhood, as had been the usual custom, had fixed to dine at the Black Lion Inn; and Mr. Isaac Littledale was requested to take the chair. In this county the political parties were divided into blues and yellows; and Mr. Littledale was a blue. The yellows wished to introduce a new custom; and instead of going to the Black Lion, they mustered in very considerable numbers, at Whitehaven-castle, to dine. In the early part of the day, the colliers in Lord Lonsdale's employment began to parade the streets, carrying yellow flags; and shortly before the hour fixed for dinner, they made the attack on the Black Lion, which led to the present action.

Two servants of the Black Lion Inn proved, that, on the 28th of May, a great number of colliers forced their way into the kitchen, and broke many dishes and covers. They said they would take all their lives. There were 1,400 of them, they said, who would pull down the house stone by stone; and if that would not do, they would blow it up with powder. After dinner they threw stones, and broke the commercial room windows with picks. Another witness deposed to the breaking of the dining-room windows by the colliers. They broke the front door with sticks and stones, and when some of the rioters were seized, the mob outside shouted, that unless they were given up, they would pull down the house. The prisoners were released, and the rioters went away. They returned about ten o'clock, and renewed the attack with picks. Mr. Peile, the steward of Lord Lonsdale, ordered them to go home, when the colliers cried, "Why were we brought here, if

we are not to be backed?" One of the dining party said, that when the mob were beating at the inn door, he ordered them to desist; but they said they would not give over, till they got Mr. Blamire (the successful candidate) or his heart. Stones were then thrown, one of which knocked off witness's hat, which fell outside. Stones continued to fly at the windows. Witness took a chair-bottom to protect his head, and desired the mob to give him his hat; but they tore it in pieces. The party were driven from the room, and the mob commenced beating at the door. The fan-light was broken, and part of the pannels were driven in. The mob were striking with jumpers (one was produced in court—it is an iron instrument, about two and a half feet long, and an inch and a half in diameter, with one sharp end; it is used by colliers in blasting: witness was confined to his bed for some time in consequence of a blow on his eye. He nearly lost the use of his eye.

Several watchmen deposed to witnessing the outrage. The mob carried an effigy, which they said was Mr. Blamire's. One of Lord Lonsdale's managers was cheering them on. The colliers were armed with picks, jumpers, and sticks. They said, "We will pull down the Black Lion, and blow it up." On cross-examination, one of the watchmen said he had told Mr. Jackson the names of some of the most active rioters. The breakage of the dishes, glasses, &c., amounted to 21*l.*; the papering and painting bill was 8*l.*; the carpentry bill, 17*l.*; the painting, repairing of windows, &c. was 50*l.*

Mr. Coltman, for the defendants, contended that there had been no riot with a felonious intention; for

if the rioters had meant to pull down the Black Lion, there was nothing to prevent them. And, secondly, that Mr. Jackson was not entitled to recover, because he had not complied with the provisions of the act in prosecuting the rioters, whose names he had received.

The Judge said, if Mr. Jackson had not used proper diligence against the rioters whose names he knew, he deprived himself of all remedy. The main question, however, was, had the rioters a felonious intention?

The jury retired, and were absent nearly two hours, when they returned into court; and the foreman said: "We find that there was no felonious intention on the part of the rioters to demolish the house, but merely to annoy the party."

His Lordship said; "That is a verdict for the defendant; the other points being immaterial."

### MARCH.

1. ARSON.—BEDFORD.—James Addington was indicted on a charge of setting fire to the barn of William Dines. The prosecutor, who was deputy overseer of the parish of Williamstead had had some altercation with the prisoner, and had prosecuted him at the last assizes on suspicion of setting fire to his haystack. The fire now in question took place on Friday evening, the 11th of November last, between seven and eight o'clock. The barn stood close to the road; it was filled with beans and barley; the boards at the end next the road were full of holes; and it was there that the fire began. On the evening of the fire the prisoner was leaving his work in company with

George Rogers a boy about 12 years old. He told Rogers to go to one Morgan's and buy him half an ounce of tobacco, and gave him the money, whilst the prisoner passed on. Rogers got the tobacco and gave it him.—Francis Ambbridge stated, that he lived about seventy yards from the barn which was burned. On the evening of the fire, the prisoner came to his house between seven and eight, and asked to light his pipe. He brought a short pipe with him. He said to prisoner, "How long have you been a smoker?" Prisoner said, "a long time." He asked this, because he never knew the prisoner smoke before. He lighted his pipe, and smoked it partly out. He left the house about a quarter before eight. In about ten minutes after he heard the alarm of fire. George Morgan lived close to the premises of Mr. Dines, and was at the "Black Hat" public-house on that evening. A little before eight o'clock, the prisoner came in and asked for some beer. He had no pipe. After the prisoner had been there a short time, the alarm of fire was given. Mary Phipps, the landlady of the Black Hat, remembered the prisoner coming in just before eight o'clock. A person of the name of Spring had left the house just before the prisoner entered. He came in in a great hurry. Mr. Spring returned almost immediately, and gave the alarm of fire; and the prisoner went with Morgan and Spring to the fire. Prisoner came to the house again at two o'clock in the morning. Many other persons were there, several of whom exclaimed, "that the person who caused it ought to be burned or hanged." At this the prisoner appeared greatly confused, and walked about the house



and said to a companion, "Come, let us go, Jack," and left the house without drinking his beer. The witness remarked the conduct of the prisoner to her husband. On the Monday after the fire, the prisoner was passing the scene of the fire with Rogers, the boy whom he had employed to buy the tobacco; and he said to Rogers, "All the farmers thought he had set the barn on fire, and tried to find him out, because he had set the hay-stack on fire." He said he had been to Bedford, and had seen one Redman, and was afraid Redman would turn against him. Before they parted, he desired him to say nothing of what he had told him, but Rogers told it to his father, and the prisoner was apprehended in consequence.—Thomas Thorpe stated, that he worked at Mr. Armstrong's with the prisoner, and that on the 21st of November Mr. Armstrong scolded them whilst at breakfast for not doing their work. After he was gone, the prisoner said, "he was a d—d rascal, he could set fire to him at the back of the rick, and burn him down as low as a tobacco dish." He added, "I can trust you with a secret. I went to Polly Child's to light my pipe, and I went to Dines, and it was done." Sharpe asked if he were alone, and he said he was. The prisoner's declaration before the magistrates was read, in which he stated, that having lighted his pipe at Polly Child's, he was smoking at the door, when the witness, Thomas Thorpe, came by. Thorpe asked him to let him smoke a little, and he gave him the pipe, and they walked towards Dines' barn. When they came there, Thorpe said, "I want to do a job for myself;" he then got over into the yard, and he thought he saw him take the to-

bacco out of the pipe, and put it in into the side of the barn.

The jury found the prisoner guilty.

7. ADMINISTRATION OF THE POOR LAWS.—BEDFORD.—Jonathan Cranfield and William Preston were tried on an indictment charging that a certain woman (to the jurors unknown), on the 12th of June 1831, came into the parish of Cardington, and was then actually chargeable to that parish as casual poor; that the defendants unlawfully conspired to exonerate the said parish from the charges which might ensue to them from such woman remaining in their parish, and to aggrieve the parish of Hawnes, and to charge them with the maintenance of the woman; that in pursuance of such conspiracy, they carried and conveyed her (being then ill and unfit for removal) from the parish of Cardington to that of Hawnes, without any lawful authority, and there left her; and that she shortly afterwards there died; by means whereof the inhabitants of Hawnes were obliged to expend certain monies in and about burying her.

It appeared, that, in June 1831 Cranfield was one of the overseers, and Preston the constable of Cardington; and that, on the 12th of that month, between seven and eight o'clock in the morning, a poor woman was found lying by the road-side in that parish. A witness, who was going to see her daughter who lived there, was overtaken by the defendants and another person, who were walking in great haste. She asked them where they were going; and Preston replied, to look after a woman in a most miserable state. They all went together some distance, and found the woman lying by



the road-side. She was naked to the waist, without bonnet or cap; they were lying near her, and one side of her head had had all the hair cut off. She was told to get up, but she said nothing, and Preston gave her part of a loaf, which she put by her side. Cranfield said to her, "If you will get up, I'll give you white money," and gave her 6*d*. She was then raised, and Preston and the third man (Smith) took each hold of an arm, and led her along between them. At that time she was nearly unable to stand, and quite unable to walk without assistance. They led her thus out of the parish of Cardington into that of Hawnes, a distance of about two furlongs altogether. It was sworn, that, when they got to the boundary stone, they pulled her along—she wishing not to go. When they had led her into Hawnes, about 120 or 150 yards, several people came up, and one of the defendants said, "they had brought her out of their parish into Hawnes, and now let them do the same." She was asked if she would go on, but she replied that she would not: indeed, she then appeared to be in a dying state. The defendants were asked, "why they did not give her a gown or something to cover her nakedness?" And one of them replied, "Where were they to get it from?" The man told them, from Bedford, or any where else. Another told them, that, seeing her state, they ought to have carried her, and one of them replied, "What! and get covered with lice, I suppose?" She was ultimately taken to the Hawnes poor-house, and died in the evening of the same day. An inquest was held on the body on the following morning, and she was buried

at the expense of the parish of Hawnes; the whole charge to them being 7*l*. 12*s*.

The defendants called two witnesses, who swore that the woman was "not ill, but only weak from the inclemency of the weather" (in June). They swore also, that she walked very well till she got into Hawnes, and that she was asked several times by the defendants where she was going, and that she answered, "to Shefford," and was all the time perfectly sensible. The jury found both the prisoners *Guilty*, and they were sentenced to be imprisoned for one calendar month, and to pay a fine of 50*l*. each to the King.

**EARTHQUAKES.**—On the 8th of March, at half-past seven o'clock in the evening, a violent earthquake was felt in the Calabrias; the centre of which appeared to be in that part of the second Calabria Ultra, where Calanzaro, the chief town, is situate. The shock lasted about eleven seconds, and took place in a direction S.E. and N.W. Many of the communes of the district of Crotone, several of Catanzaro, but very few in Calabria-Citra were damaged. In the west of the Calabrias the earthquake only more or less shook the houses. The only commune utterly destroyed, was that of Cutro, in the first of the above-named districts. It was reduced to a heap of ruins. The number of the dead was said to exceed sixty. Forty persons perished at Policastro; thirty-four at Roccabernarda; nine at Rocca-dineto; seven at Santa Severina; six at Iscandale; five at St. Mauro; two at Castelle. At Isola and Cirò two children were killed. Crucoli and Melissa, although in the same district, were exempt from all calamity, and but small

damage was done in other neighbouring villages. There was a great number of wounded in all the other communes. In the district of Catanzaro, the commune that suffered most was Soveria, where eight persons were buried under the ruins. The principal shock was followed by others which, although not violent, were from time to time perceptible till the 16th of March, and caused many of the houses to fall, which had been injured by the first shock.

The earthquake was felt in Central Italy, on the 13th and 14th. It was particularly violent at Reggio, where it took place about half-past four in the morning of the 13th. The smartest shock lasted from ten to twelve seconds, preceded and followed at very small intervals by minor ones. The motion was partly in a direction upwards, proved by large balls of marble being hurled from the summit of the façades of several churches, where they had been placed as ornaments; but an undulatory motion was most frequent, and principally between west and east, although sometimes between south and north. The bells of the public clocks, and the bells of private houses rang. When the shock was most violent, it seemed as if one heard the cracking and rending asunder of the roofs and walls. More than 500 chimnies were thrown down; according to other accounts, they exceeded 2,000. A large breach was made in the walls enclosing the city, owing to a part of them having fallen. The vaulted roofs of many churches were cleft by wide fissures. The low tower of St. Peter's, together with the bells, fell in. Almost all houses suffered considerably, and the barracks of

the soldiers were so much injured that it became unsafe to occupy them. Of seven persons on whom the ruins fell, some were severely wounded, but none killed. A great number of the inhabitants took refuge in the open fields; others passed the night *en bivouac*.

All the neighbouring villages shared the fate of the city. At every step were houses half destroyed, walls moved from the perpendicular, façades and the internal vaulted roofs of churches rent or prostrate. At Modena many houses were violently shaken; and though the mischief done there was not so great as at Reggio, many of the inhabitants spent several nights in the open air. Small volcanic cones appeared on several parts of the plain, where also some springs of hot water suddenly rose to the surface of the earth. The Ducal Palace was strongly shaken. The destruction amongst the Reggian hills was severe. In the single parish of Sampolo the damage was calculated at 700%. Churches and houses were every where to be seen in a ruined state at Bibiano, Caviglioglio, and Quattro Castelli. Scarcely less calamitous were the effects of the earthquake in the cities of Carpi and Correggio. About 200 chimnies fell in the former, and the cathedral was much injured. In the latter the vast fabric of the college and many other edifices, were rendered so unsafe, that the greater part of the inhabitants abandoned them. Besides the severe shock of the 13th, there were others on the same and following days. On the morning of the 14th, at twenty minutes to seven, the earth heaved for about a moment, but with great vehemence; the motion upwards being accompanied by a noise as of the

to Mr. Okell's house to see Ellen Bancroft, about three o'clock in the afternoon. There was no one in the house but the girl and me. There was a ring at the bell about four o'clock. Ellen went to the door, and I could hear her speak to some one. She returned alone. I cannot say whether any one entered the house at that time. I went away about five minutes after. She came to the gate with me, and then went in again. She was in good health. At the time the bell rung, and whilst she was away, I happened to cough very loudly. I suppose the person who rang the bell came into the house. I heard deceased say, "Would you like to go up stairs to look at the damp walls?" At that time I suppose deceased and the person she spoke to were on the kitchen floor,—on the same floor as I was.

Mary Okell, sister to Mr. Okell. I was sent on Wednesday, the 11th of January, by Mrs. Okell to the house in Breck-lane. I got there a little after four. I rang the bell, and continued ringing for a quarter of an hour, but no one answered. I then returned to my aunt.

Samuel Okell.—I am nephew to Mr. Okell. I was sent to the house in Breck-lane as soon as last witness returned. I left the vaults between six and seven, and went straight to Breck-lane. I rang the bell, and got no answer. I then applied to Mr. Pickering to let me go through his premises. I got over Mr. Pickering's garden wall into Mr. Okell's garden, and went down into the kitchen of Mr. Okell's house. I had to go down three or four steps into the kitchen. When I entered, I saw Ellen Bancroft sitting on a chair, leaning with her head upon her

hand on a table. Her cap was on the floor, and the floor covered with blood. Her hands, arms, and face were also covered with blood. There was a wound above her right ear, and her right eye was black. The tongs and poker were in their proper place, and the top of the poker had some blood upon it. She was still sensible. I asked what was the matter, and she said she was very ill, and wanted a drink of water. Dr. Hayes described the wounds, and proved that they had occasioned the death.

Jane Spence.—I live fifty or sixty yards from Mr. Okell. I was at home on the afternoon of the 11th of January. I saw the prisoner there at four o'clock as near as I can tell. He was dressed in light-coloured working clothes. I saw him walk backwards and forwards several times. I saw Miss Biggs come from Mr. Okell's; he was walking about then. That was the last time I saw him. I saw deceased go in when Miss Biggs left.

Robert Smith.—I was working at Breck-lane, on Wednesday, the 11th of January, next door but one to Mr. Okell's. In the course of the afternoon, I went to Mr. Barnes's premises, which are behind Mr. Okell's. In my way I had to pass Mr. Okell's door. I saw a man standing at Mr. Okell's door. He had a light barracan dress on. I think that man was the prisoner. The man seemed to be coming out of the door. Witness was never nearer than ten or eleven yards, and only saw his side face.

Abraham Denroach assistant to a pawnbroker in Liverpool.—On Wednesday, the 11th of January, about half-past six in the evening, six silver spoons were pawned by a man whom I believe to be the

prisoner. He asked 20s. for them. I asked his name, and he said Kent. I looked at the mark, and thought the O was a C, and I said C did not stand for Kent. He replied it was a K. I looked again, and it then appeared to me that there was a K. I advanced the 20s. From first to last the man was with me two minutes. There were two gas-lights burning in the shop. I placed the spoons in the drawer. They remained there six days, and I then delivered them to Ainsworth, the police-officer. (Spoons produced). These are the spoons. Mrs. Okell identified them as being those which had been stolen.

Elizabeth Frost. — My father and mother let lodgings. Prisoner and his wife lodged with us. On Wednesday afternoon, the 11th of January, about a quarter past five, I saw prisoner leave the house. He was then dressed in dark-coloured clothes. He generally wore light-coloured barracan clothes. I had not seen him that day before. The lodgers can go out and come in without our perceiving them, as we live in the cellar part, and they have keys. Her mother deposed that prisoner's rent was due on Monday, the 9th of January, but was not paid until Thursday, the 12th. No one had been in his room except prisoner and prisoner's wife.

——Ainsworth, a police-officer, stated, that he first saw the prisoner in custody on Thursday, the 12th of January. He was then dressed in dark-coloured clothes. Witness went to Mr. Okell's house on Thursday afternoon, and examined the room and the drawer whence the property had been stolen. The top of the drawers had been forced open by a chisel,

or some sharp instrument. By witness's direction a part of the top of the drawers which contained the chisel marks was cut off, and witness now produced it. On the following Saturday witness saw prisoner in light-coloured barracan clothes. They appeared to fit him as if made for him. They were then damp. Searched prisoner's room at Frost's. Found nothing the first day. On the second day he removed a box which seemed to have been used as a coal box, and which stood against the wall. Between the box and the wall was a large chisel. The chisel exactly corresponded with the marks on the top of the drawers. Witness also found a small instrument made of whalebone, and leaded at both ends, called a night-preserver.

William Smith, constable. — On the afternoon of Thursday, the 12th of January went to prisoner's lodging, and waited there until eight o'clock, when prisoner came in. He then apprehended him. Prisoner had then on a dark dress. Witness asked where his light-coloured dress was? and he said, "At home." Witness searched for the light clothes, but could not find them. He afterwards found the light coloured dress at No. 12, St. Andrew's-street. It was wet, and was hanging before the fire to dry.

Mary Hussey stated that the light-coloured dress now produced was given to her by prisoner's mother-in-law on Thursday, the 12th of January, to be washed. She did wash it, and left it before the fire to dry. It was afterwards given to last witness.

The Jury found the prisoner *Guilty*. He was ordered for execution.

12. SEDITION. — LANCASTER. — Robert Gilchrist, James Mas-

kell, George Lomax, Thomas Faux, Henry Pollard, Nathan Broadhurst, Edward Curran, and William Ashmore, were indicted for having wilfully, wickedly, and maliciously combined, conspired, and confederated together at Manchester, on the 29th of January last, with divers other persons, to the number of 1,000 and more, to disturb the public peace, and by seditious and inflammatory speeches and otherwise to excite the subjects of our lord the King to insurrection and insubordination, and to subvert and overturn the lawful and settled institutions of the realm, and with having riotously and tumultuously assembled together to disturb the public peace.

Mr. Williams stated the nature of the case. On the 21st of November last, for reasons well known to the public at large, his Majesty had been pleased to issue a royal proclamation against certain societies, which had then become very numerous. On the 23rd copies of the proclamation had been published in every direction in the town of Manchester. Notwithstanding that notice, meetings had been called and held at Camp-field, near Manchester, first on the 28th of November, then by adjournment on the 26th of December, then also by public advertisement in St. George's-fields on the 22nd of January, and then by adjournment on the 29th of the same month. Before the last mentioned meeting took place, the boroughreeve and magistrates had given notice that it would be illegal, and had cautioned the people of Manchester to abstain from attending it. The meeting, however, did take place, and there five of the defendants had been taken into custody; two others had afterwards been arrested

in London, where they had gone as witnesses for Mr. Hunt; and the last defendant, Ashmore, had surrendered to-day, for the purpose of taking his trial. Before the meeting of the 26th of December, a placard in large characters had been distributed, which called upon the people to meet together upon that day, for the purpose of forming a "National Convention." Before the 22nd of January, the trials at Bristol had taken place. The last meeting had been convened by a placard having reference to that event, and which had been headed in large letters, "legal murder at Bristol." The magistrates, however, had issued their advertisement, stating that the meeting would be illegal; and accordingly some of the persons who had been most active at former meetings, Broadhurst, Ashmore, and Curran, had not attended at the last. In speaking of the king's proclamation, one of the speakers had said, "it was a hoax, and the King must have been asleep when he issued it." Somebody had cried out "God bless the King," and the prisoner Gilchrist had answered he would say "God bless the King, when the devil was blind." Broadhurst had said "they would send a petition, and if that was not attended to, it would be high time to take the matter into their own hands." He had added, "the magistrates had been strengthening the New Bailey at Manchester, but give him 200 good fellows as firm as himself, and he would soon shake their pepper-boxes to the ground." Ashmore had said "that property honestly come by ought to be respected, but what was not so acquired, or where there was too much of it, it should be given to those who had none." The same



prisoner had said, that "the law ought to be the expression of the community, and not of 400 or 500 out of 8,000,000 of people." He had added, that "the laws were not honestly put forth, for the great men could get over them, while the poor must go to dungeons, bastiles, and gaols; he would wish to have justice, but when the court was held in hell, the devil sat as judge." At the meeting of the 22nd of January, Broadhurst had said "what good would it do to hang the men at Bristol—it would do more good to hang the judges that tried them; those who were the causes of the outrages ought to be put upon their trials; he hoped the people of Bristol would not be satisfied until they had hanged sir Charles Wetherell upon a gallows higher than Haman," The learned counsel read a variety of similar expressions.

The London Gazette, containing a copy of his Majesty's proclamation, was put in and read. Four witnesses were called, who, in their capacity of reporters to different newspapers at Manchester, had attended all the meetings in question. Their examination lasted some hours, during which they repeated, in many instances at full length, the speeches of the different orators. The speeches abounded in expressions similar to those adverted to in Mr. Williams's address. All the defendants were shown to have been present at different meetings. The various placards alluded to were put in and read. It was also proved, that when Curran was apprehended, a small instrument, which appeared to be a file beaten into the form of a dagger, and inserted in a handle, was found upon his person.

Mr. Justice Alderson explained

to the Jury that they must be satisfied that the defendants acted in pursuance of a concerted plan, before they could find them guilty of conspiracy. In case they found a verdict of guilty on the count which charged them with unlawfully assembling, then the verdict must be confined to those who had been proved to have been present at some illegal assembly.

The Jury after a consultation of a quarter of an hour brought in a verdict negating the charge of conspiracy against all the prisoners, and finding Broadhurst, Curran, Gilchrist, and Ashmore guilty of unlawfully assembling.

21. FAST DAY DISTURBANCE.—The King having issued a proclamation directing the 21st of March to be observed throughout England as a day of fasting and humiliation on account of the cholera, the Political Union of the working classes issued a counter proclamation, announcing their intention to celebrate it by the distribution of bread and meat amongst the lower orders, and of their determination to assemble for that purpose in Finsbury-square, at 12 o'clock, from whence they should afterwards perambulate in procession the different parts of the metropolis. Early in the morning the various streets and avenues leading in that direction were thronged with crowds of people. By eleven o'clock the numbers assembled in the square reached to about 12,000 or 14,000, consisting entirely of the lower classes, of mechanics and labouring men, many of whom appeared to be in the greatest possible distress and destitution. There were many women, too, amongst the crowd. Twelve o'clock passed, and none of the members of the Trades' Union made their



appearance. The crowd, however, continued increasing. Before two o'clock, it amounted to nearly 25,000 persons. The police had now mustered strong, and it was determined to clear the square. The mob had resorted to various acts of violence by hooting and pelting the police with stones and other missiles. Many of the police were seriously wounded. Several collisions took place between them and the mob, in which some of the latter were wounded. One man had his cheek laid open, and another his eye cut out.—In order to clear the square of the immense assemblage, the police were divided into six sections or battalions, half of which (formed into front, centre, and rear ranks) were to proceed round one half of the square, and the other, in like manner, round the other half. When the police moved, the groans and hootings of the populace were deafening. Vast many stones were thrown, several of which severely injured the police, about twenty of whom had their heads severely cut. Two or three were so much injured, that they were sent off the ground by the orders of the police-surgeon. It took upwards of half an hour to effect a complete dispersion of the populace from the square, and even then they posted themselves in large bodies in the adjacent streets, hooting and pelting the police. Strong divisions of the police were then posted at the ends of Moorfields, Chiswell-street, City-road, and Sun-street, leading into Finsbury-square, and the assembled multitudes gradually melted away.

21. **ESCAPE FROM PRISON.**  
**READING.**—John Dickinson, alias George Harris, a notorious offender, and returned convict, who with a companion named George

Cantell, alias Vezey, was sentenced to death at the late assizes for breaking into the house of a watchmaker at Hungerford, and stealing his whole stock, valued at 250*l.*, effected his escape. For better security Dickinson was locked up every night in one of the condemned cells, and all his clothes regularly taken from him. The cell in which he was confined is between eleven and twelve feet high, lined throughout with solid oak plank two inches thick, and the joints cased with iron, and whitewashed on the ceiling and sides. At 6 o'clock in the evening he was locked up as usual, and the turnkey on looking round found all safe; but this experienced burglar had been for some time working with a piece of iron hoop, which he had secreted, about five inches long, and three quarters of an inch wide, (probably off an old bucket), which he had made into a saw, and taken an opportunity to harden in the fire. A short piece of stick not bigger than a man's little finger, which was used to prop up the shutter before the grating of his cell, formed the handle; and by getting on a wooden stool belonging to the cell, he reached the ceiling, and with this rough instrument, by wonderful perseverance, cut through the solid plank of the ceiling, and after long-continued nocturnal labour, succeeded in cutting out an oblong piece of wood, which, after wrenching off the iron at the joints, left a hole big enough to enable him to force his body through. It appears, that on his leaving off work, he always stopped the crevice he had cut (and which was merely sufficient to admit his saw) by pasting over a piece of white paper. He made his paste by wetting a bit of bread, a small portion of this

composition being found in the corner of the cell. He then rubbed over the paper some of the chalk off the wall, and unless the turn-key had been aware that something was wrong, it was next to impossible, on looking round, to make any discovery. Having perfected the aperture, he cut his blankets into strips, which he twisted into a rope upwards of thirty feet long. Having got through the aperture, he found himself under the tiling, and by removing a few tiles, which he did in a workmanlike style, without the least noise, he ascended to the main roof of the gaol, which he traversed like a cat, and then passed over the top of a very high and dangerous cross-wall, having loose bricks on the top, four of which he took with him to the outer wall, and having tied them to the end of his blanket rope, by means of an extra piece which he had made, lodged them under the coping, and then descended, by means of his rope, a distance of forty feet, into the gaol garden; and to prevent the bricks at the end of the rope falling and making a noise, he tied the end he had in his hand to a tree; and having scaled the garden-wall, effected his escape into the public road, having only a shirt and yellow stockings on his person.

22. STEAM EXPLOSION.—The boiler of a steam-engine used in the Calender Works of Messrs. Goodier, in Manchester, suddenly burst. Volumes of steam and hot water rushed through every aperture in the wall between the boiler-house and the engine-house. At the same moment that portion of the lower part of the outer wall of the building which separated the boiler-house from the adjoining street, outwards with tremend-

ous violence, and the upper part, as far as the roof of the building (which was five stories in height), being no longer supported, fell to the ground, carrying with it all the floors from top to bottom, and all the calenders and other heavy machinery which they supported, and which were all precipitated into the boiler-house where the explosion had taken place. There were at the time of the explosion, about forty persons at work in different parts of the building, but fortunately very few on those portions of the floors which gave way. On the ground floor, however, exactly over the boiler-house, there were five boys playing, their work having been interrupted by a temporary stoppage of the engine. They were all killed. Several others were severely scalded, and one fell from one of the upper floors amongst the rubbish in the cellar; but though severely scalded, he received no fracture or serious bruise.

23. POISONING. — LEICESTER. — Sarah Smith, aged 28, a woman of very repulsive countenance, was indicted for the wilful murder of Elizabeth Wood, at Mountsorrel, on the 15th of December last, by administering poison to her.

The prisoner lived at Mountsorrel with her husband. On the 4th of December last she went to Rotheley, which is about a mile from Mountsorrel, and invited the deceased, a young woman 16 or 17 years of age, who had just then left her place of service, to come with her to Mountsorrel. Her husband's brother had been paying court to the deceased, and had talked of marrying her. On the 6th, the prisoner went with the deceased to her sister's house at Rotheley, to fetch away her clothes,

pretending that she was going to service. On the 8th or 9th, the prisoner purchased an ounce of laudanum, at the shop of a person to whom she represented that a young woman at her house was suffering from a complaint like the cholera morbus, and she wished to give her some laudanum and brandy. On the 9th she called in a young man, who, having formerly been apprenticed to a surgeon, was in the habit of attending the poor at Mountsorrel. He found the deceased very ill, and proposed to give her an emetic, to which the prisoner said that the deceased had a great objection. He then bled her, and prescribed a powder. On the following day he found her better; but on the 11th she was worse. On that day, which was Sunday, the prisoner sent for the deceased's sister, a girl 12 years of age, who was learning the straw bonnet business, to come and attend her sister. This girl observed that she gave the deceased no food of any kind on that Sunday, or the Monday; and that, from that time until the following Thursday, all the food she gave her was a small piece of bread and two pieces of biscuit. On Wednesday the 14th, the prisoner purchased another ounce of laudanum, and made the same representation as she had before made. On Thursday the 15th, she purchased sixpennyworth of laudanum and one pennyworth of arsenic at another shop, representing that she wanted the laudanum for a person living up the yard, and the arsenic she wanted to destroy mice. On the night preceding, she put some dark-coloured liquid into a cup, and told the deceased's sister, Mary Ann Wood, who slept with her, to give

her three spoonfull five times in the course of the night, and be sure to shake it well. On the 15th, when the young doctor called, after telling him he might wait and see the deceased take her broth, she showed him the paper of arsenic, which she said she had bought to destroy the mice with which she was overrun, and requested him to mix some for her, as she did not like to meddle with it. He accordingly took out a very small pinch, and mixed it with some crumbs of bread: he then fastened the paper up, and put it into the saucer in which the crumbs of bread were. He went away at half-past 12, and about 1 the prisoner took a basin for the purpose of putting some broth into it for the deceased. She told the little girl, Mary Ann, she might go down the yard and amuse herself, which she did; but it coming on to rain immediately, she returned, and found the prisoner crumbing the broth with the saucer in which the arsenic crumbs had been left beside her. Having prepared the broth she sent up a basin of it by Mary Ann to the deceased, who when she had drank it complained of her throat being hot. As soon as Mary Ann brought down the basin and spoon, the prisoner made her wash them both immediately. At about half-past 4 o'clock the deceased having become much worse, she expressed a wish for some tea, which the prisoner set about getting ready. Before she poured it out, she sent the little girl out for a jug of water; and having put some crumbs and a piece of bread in it, she sent it up to the deceased by her sister. The deceased drank the tea, and with the spoon collected the crumbs at the bottom of the cup, and ate them. There

were nearly three spoonsfull of them. She then expressed her thankfulness for having had her belly filled. Not long after this she grew worse, and wished for a person to come and pray with her. A man named Fisher was sent for, and came. The prisoner's husband came home at about 7 o'clock, and they all went to her room and prayed. The deceased had occasion to get up soon afterwards, and whilst up, and supported by her sister; she expired. On the evening before, although the deceased was going on pretty well, the prisoner went to a neighbour and asked her if she would have any objection to lay a young woman out who was likely to die at her house. Her neighbour said she would have an objection, if she was ill of fever; to which the prisoner replied, it was no fever, but she had got cold going to Leicester in a cart. During the deceased's illness the prisoner had sent for her married sister to come and see her, which she did, and expressed herself satisfied with her treatment, as she did also after her death. The prisoner had also inquired of the deceased if she would have any body else, besides Vernon, to attend her, to which she replied, that she did not wish any body else. On the day after the deceased's death, the constable asked her for the remains of the arsenic she had bought, and she gave him the saucer and the paper, containing, however, a very small portion of what the surgeon had left in it the day before. On the Saturday, she went, in company with Mary Ann, to the married sister's house, to tell her that the body was to be opened; and on the way she told the little girl that they would try all they could

to hang her (prisoner), and that she must be sure to say she had seen the doctor take some of the powder out of one piece of paper, and put it into another. The body was opened in the presence of three surgeons, who, on analysing the contents of the stomach, found it contained a considerable quantity of arsenic, to which they all attributed the death of the deceased. There were some other circumstances detailed by the witnesses, which went to strengthen the case against the prisoner; but it did not appear what motive she had had in depriving the deceased of life, except that there seemed to have been some squabbling about her clothes and that she did not like her brother-in-law to marry her.

In her defence she made a very long statement, in the course of which she distinctly charged her own husband with having admitted to her that he had given the deceased the arsenic to prevent her from giving evidence against him and his brother, as to some flour they had stolen. Her husband had been convicted of theft the day before she was tried.

The jury found her *Guilty*, and the judge left her for execution.

24. CHOLERA RIOT. — As a preparation for the approach of the cholera, a new burying-ground had been laid out at Paisley, in which were interred all of the lowest class who died of that disease. Some boys having discovered two small shovels, and a hook on the end of a cord, concealed beneath a small bridge, leading from a country road near the new burying-ground, these instruments were taken to the town and exhibited there. The public mind was so excited by the supposition that those dying of cholera were

thus transferred to the dissecting table, that a crowd collected, and commenced opening the graves, in one of the first of which an empty coffin was found. The crowd rapidly augmented. As each successive grave was opened, several were found empty. The intelligence was received with a shout by the multitude; the fence of stobs round the ground was torn down. The magistrates assembled for the preservation of the public peace. It was instantly agreed that a reward of 50*l.* should be offered for the discovery of the offenders. This had scarcely been resolved on before the crowd arrived in the town, numbers armed with stobs, bearing an empty coffin. Notwithstanding the efforts of the magistrates, they proceeded through the town, broke the windows of all the surgeon's houses and shops, the windows of the hospital, and demolished the cholera hearse, and every thing connected with the establishment so far as possible. The first time the crowd, consisting almost entirely of half-grown lads and Irishmen, visited the hospital, they were persuaded to desist from their work of destruction, but after taking a turn through the town, they came back, broke the windows, forced open the gate, and did other mischief. A patient in the hospital was struck on the head with a stone, and had it slightly cut; he was not then expected to recover; but he called for protection against this treatment, and shortly after expired. Another patient, who had recovered, and who was to have been dismissed from the hospital that day, relapsed.

28. MYSTERIOUS MURDER. LAUNCESTON. — Peter Matthews, aged 30, was indicted for the wilful murder of Grace Andrew, at

Calenick, in the parish of Kea, in the county of Cornwall, on the 20th of January, 1830.

The prisoner had been indicted for this murder two years before, but, the evidence not being satisfactory, the grand jury ignored the bill, and he was now again charged under the extraordinary circumstances detailed in the evidence.

William Andrew. — I live at Calenick. On Wednesday, the 20th of January, I went to bed between 8 and 9. My wife put me to bed, after we had said our prayers. No one lived with us. I am quite deaf of my right ear. I always sleep on my left side. I went to sleep very soon that night. I awoke in the night; but finding my wife was not in bed, I went to the head of the stairs. I called my wife, but got no answer. I then proceeded down stairs, and found the door open; I went out at the door, but finding no one, I returned and knocked at the doors of John Bray and John May, telling them my wife was not to be found. They both came down; we then proceeded, with a light, into a little room where we used to sit, and there I saw my wife lying on the ground. My wife chiefly kept our money, and generally carried it with her in her bosom. We had a 30*l.* bank of England note, and the rest was in gold. We always kept 50*l.* When I last saw it, it was in a little parcel in a bag. In the evening some of the coroner's jury made a search for the money in a box or chest, the key of which my wife kept, but they could not find the money. I looked in the chest several times, but could find no money there. On the Monday after, I had occasion to go to the chest to look for a pair of gloves;



upon opening the chest that day, I found the money in a little bag, which was carried to my master's by my brother or son-in-law.

Cross-examined.—I kept the key of the chest after the first search, but sometimes I left the key in. I might have gone out between my wife's death and the funeral. Jane Innis went to search for the gloves in the drawers. I lost no property, although my spoons were kept down stairs: 48/. was found.

—John Bray.—I live adjoining Andrew's house. I was alarmed on the night of the 20th of January by William Andrew. I got up and went down stairs. Found Grace Andrew lying dead on the floor. I knew the prisoner for many years. I saw him at Calenick two or three days before at my father's house, and spoke to him. I was before the grand jury two years ago. The doors of the houses lead into a passage, at the end of which is a door which is bolted at night.—John May.—I had seen the prisoner two days before the murder, about fifty yards from my house, near William Andrew's gate. I saw him on a Sunday a short time after the murder, on Calenick bridge, with a young woman. John Bray, James Bray, and myself, were imprisoned on suspicion of being concerned in the murder.

—Elizabeth Bate.—I live adjoining May's tenement. On the morning between the 20th and 21st of January I was alarmed between one and two o'clock by Andrew calling May. I got up and ran into Andrew's half naked, and entered his back room. Grace Andrew was flat on her face. She was stone cold. There was a large pool of blood under her face. Her hands were lying under her. She had a knife in her left hand, and there

were some knives and forks on the dresser: her clothes were quite smooth. The prisoner lived about a mile off.—Eliza Bate, daughter of the last witness.—On the evening before the murder I had been at Mrs. Bennet's, who lives in the house adjoining Andrew. There was only a wall half a brick thick between the houses. There were several of us in the room which adjoins the back room of Andrew. We heard a noise, which I thought to be Grace Andrew laughing in her little room, and we directly heard loud blows, like breaking coals or chopping sticks on the floor. Only heard the laugh once. The other noise continued a minute and a half. I should think there might have been five or six blows. I slept that night at Mrs. Bennett's. We went to bed in about ten minutes after the noise. It was between twenty minutes and half-past nine by Mrs. Bennett's clock, which was ten minutes too slow when we went to bed. I have known the prisoner fifteen or twenty years. Saw him on the Monday before the murder standing near Grace Andrew's back door.—Grace Bennett corroborated the testimony of the witness Eliza Bate. I thought the noise was a cry, and not a laugh. I have known the prisoner twenty-five years. He was a native of Calenick, and was a mason.

James Ferris, surgeon of Truro, I was called up about three o'clock in the morning of the 21st of January. Went into a back parlour at Andrew's. Saw the body of a woman lying in the room on her face. Two streams of blood had flowed from the head. The dress was smooth. We turned the body on the back, for the purpose of inspecting the head. There was



an extensive fracture on the skull, and there was some of the brain on the cap. There were four or five wounds; one was incised, another was semicircular, and three others were small punctures. The same part of the instrument could not have occasioned the incised and semicircular wounds. She appeared to have been dead some hours. I had the body removed to her bed. I then observed that her neckerchief was a little deranged. Inside her stays, at the upper part, I found a small pocket, but there was nothing in it. There were a few pence and two keys in her pocket. I believe I found some silver in her pockets. I made a search in the house to see if I could find any weapon, but I could not find any. In the left hand of the deceased there was a common kitchen knife. In the afternoon I removed a portion of the scalp over the wound, and I found the skull forced into the brain, which was the cause of death. A lath hammer was produced, which was proved to be the prisoner's. James Ferris recalled; I compared the wound in the scalp with this hammer; the cutting part most accurately fitted the incised wound, and the semicircular wound corresponded with one-half of the blunt head. I compared other hammers of the same sort with the wounds, but they did not correspond.—Cross-examined.—Deceased was a small woman, and must have fallen dead instantly.—Clement Carlyon, M.D.—Saw a scalp in possession of Mr. Ferris; compared it with this hammer, and the wounds corresponded with it. Compared it afterwards with ten or twelve other hammers; there was no hammer that corresponded with both the principal marks.—James

Skewes. I live in Truro, and am a cordwainer. Prisoner lodged in our house. He came three or four months before January, 1830. He slept with me. Prisoner was not in constant work. He told me he was in debt. He paid 2s. a-week for lodging. Heard him say shortly before the murder, "He was in want of money; he must have money, and he would be d—d but he would have money." I have heard him use those words more than once. About a fortnight before the murder I was in bed with the prisoner. He said, he must have money, and he would have money, have it from where he would. He thought he could tell where he could get some money. I asked him where. He said "At Calenick." I said "Where there—Mr. Michell's?" He replied, "No, William Andrew's." I said, "How should he have any money?" He said, "I know he has got money, or spoons, or something." He added that he would go and take out a pane of glass, and put his hand in and open the window and go in and open the back door. I replied, "They'll hear you." He said, "To be sure they will; I'll carry my lath hammer with me, and soon do their business for them." I said, "Do you mean it?" He answered, "Mean it, yes." I said I would not go for the world. He had asked me to go with him. In a week after he said, "Where do you think I was last night?" I replied, "I don't know where." He said, "I was at Calenick." I said, "What were you doing there?" to which he replied, "I was towards William Andrew's window, and saw the old man and woman sitting down by the fire. I trembled like a rush. I had my lath hammer in my pocket too."

This was a week before the murder. On the evening of the 20th of January I saw Thomas Atkinson, who lives near me. I left him twenty-five minutes after nine o'clock. I looked at my watch. I went in doors, and put some water on the fire, had tea, and went to bed between ten minutes and a quarter past ten o'clock. The prisoner had not then come in. I heard him come to bed about half an hour after I went to bed. Prisoner got up before me the next morning. We usually got up at the same time. I said, "How, are you going to get up so soon?" He said, "What use is it to stay there, I can't sleep." He went down stairs. I then heard him say there was a pretty job done at Calenick; that old Grace Andrew was murdered, and it was said she was killed with a flat polled instrument, something like a hammer. I then jumped out of bed and came down stairs, but the prisoner was gone out. I met him in the day in Tabernacle-street. I said to him, "Peter, is that your job at Calenick last night?" He said "No—what do you think?" I said "What have you got there, then?" pointing to his waistcoat, on which there were some red spots,—it was a light summer waistcoat. He said, "Don't be such a d—d fool; do you think if I had done it, the blood would fly up like that?" We then parted. I charged him at other times with having committed the murder. He always denied it. He once asked me how I thought he could do it, and if he had, how should he not have any money. I said that he had money somewhere, but had hid it. He told me once that he had come in at half-past nine on the night of the murder. I said he did not, it was past ten

when I went to bed, and he was not then in.—Cross-examined.—I was in debt and wanted money at that time, for I could not get in my bills. Previously to the murder, I thought the prisoner's conduct all a joke. I went before a magistrate about six weeks after the murder voluntarily; there had been a reward of 100*l.* offered for the apprehension. I was before the grand Jury two years ago, when the bill was thrown out. I usually went to bed between nine and ten. I can't say what time I went to bed, either before or after the night of the murder. I can't say whether I heard the prisoner come into the house the night of the murder; he had been out before I heard him tell my father of the murder. I continued to sleep with the prisoner till he left our house shortly before he was taken up, and during all that time I believed he had committed the murder. Ellis, the Bow-street officer came down about a fortnight after the murder. He talked to me about it, but I never told him any thing. On my oath I was afraid of my life when I slept with him after the murder, but I thought that by continuing to do so, I might sift the fact out of him.

Catherine Skewes, mother of the last witness.—I saw my son come in and take tea the evening of the murder; he then went to bed. I afterwards had my tea, and during that time prisoner came in, took one cup of tea, and went to bed. I washed a waistcoat of the prisoner's, which had some red spots on it; it was the waistcoat he usually worked in.

Mary Gilbert, daughter of last witness.—I heard the prisoner say that he had no work, and that he would not want, as he had done,

much longer; money he must have, and money he would have. I asked what he meant, and he said he would knock the brains of some one out, rather than want, as he had done. I said I thought he ought to consider a person's soul; the soul, he said, was nothing to him, he must and would have money. I advised him to apply to his sisters: he said he would as soon knock their brains out as those of any other persons.—Cross-examined.—When the prisoner used those expressions, I thought he was in joke, and I smiled at what he said.

Thomas Skewes, brother of last witness.—Three days before the murder the prisoner asked me to go to Calenick with him. I refused, as I had no business there. I asked him what he was going to do there. He said he would have something before he came back again. I told him I would have him take care, for he would be sent to Bodmin, if he was caught. He said, "Do you think if there was any danger, I would go myself or ask you to go?" I saw the handle of a hammer projecting from his pocket. I went over the hill towards my house, and at the top of Leman-street we parted, the prisoner going in the direction towards Calenick.

Lambert Pidwell.—I was at Foley's house, who kept a beer-shop, between seven and eight on the night of the murder. I remained there till between eleven and twelve. Prisoner was there that night; he went away, to the best of my knowledge, about half-past eight. Long was there, but he went away before the prisoner. Mr. May was there. I played at cards with the prisoner that night.

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—Cross-examined.—This was a mile and a quarter from Calenick.

Nicholas Kent.—I live in Calenick-street, Truro, and am a labourer. Saw the prisoner a day or two after the murder. I said to the prisoner, "Matthews, it is a bad job concerning this murder, which is up again." He said, "Yes, the d—d fools, they will keep it on till it is found out." I said, "They think it is the old man, now, don't 'em?" He answered, "Yes, they think it is the old man, but it is not the old man; I can clear him."

Thomas Pidwell.—Soon after the murder I saw the prisoner. We talked about the murder. I said it was a curious thing to me how the knife got into her hand. I should fancy no one would have taken the trouble to have put the knife in her hand after doing the murder: it appeared to me she must have taken the knife in protecting herself. He said she took the knife off the table.

William Hallett, a private in the Royal Marines, and belonging to the ship Dublin, lying at Rio Janeiro, six months ago.—The prisoner was a private marine on board the ship. I was sick and placed in the hospital. The prisoner was ill in the next hammock. I never could rest for the prisoner. He flung his hands about, talking about the dear devil. I told the doctors of it the next morning. In the course of the day I said to him you must have done more than any man in the ship. He answered I have done the thing which I ought not to have done. I asked him what it was. He said that he had killed a woman near Truro, with a stone hammer. I said, you ought to be hanged. I reported it, and

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October, I saw the riots at twenty minutes before six o'clock in the evening. I was at the Town-hall. I afterwards went past the White Hart to meet Captain Wilkins. He came up towards the White Hart. As soon as the mob saw him they commenced hooting. He endeavoured to make his way to the White Hart, but the mob repulsed him, throwing sticks and other things at him. I went to the Town-hall for assistance, and then returned to the White Hart about half-past six o'clock, and found Captain Wilkins addressing the mob, who were telling him he should not go to Bristol. I placed myself by the side of him. He told them he was bound to do his duty as a soldier, at which they were more enraged. He then went into the White Hart, and they commenced throwing at him. The inmates of the inn and myself formed a line to prevent their coming in. They cried out, "Out with the —; he shan't go to Bristol." They strove against us for twenty minutes, endeavouring to get in: they forced us back, and we afterwards repulsed them, and got them out. There were 1,000 people outside. They said they would have reform and bread, for they had been starving long enough. We succeeded in closing the doors. In five minutes, the windows of the house were crashed, and the doors were beaten in, apparently with bludgeons. I went to the Town-Hall, and got about twenty special constables. We were driven back by the mob at the White Hart. We then got more help, as the inhabitants were coming forward to be sworn. We then went to the White Hart, and succeeded in stopping the proceedings of the

mob. They attacked us with stones and sticks. We drove a part of them down the street. On our return, we found them still breaking the windows. We dispersed them, and then heard a mob was attacking the Town-hall, where we found them breaking the windows. Then we kept continually going between the White Hart and the Town-hall. At length the special constables amounted to several hundreds. We formed ourselves into two sections. The mob came up about eight o'clock, with faggot sticks and pieces of furniture on their shoulders. They commenced an attack upon us. The next day the front doors of the White Hart appeared to have been chopped. Heard a great number of the mob say they would have reform. The gas lights in the street were extinguished. A great number of the rioters were taken into custody, but several of them were rescued. I saw the prisoner Richards in the crowd at the White Hart, before the doors were shut. He was not doing any thing. I begged the mob to desist, as a great many of them were known. Several voices said, "We'll have Captain Wilkins out." I said he had left. When I saw Richards, he did not take any active part. I saw him two or three times in the evening; he was pointed out to me. I afterwards took him into custody about one in the morning; he was then at the bottom of Bond-street.

John Tice.—I saw the mob breaking the windows of the White Hart. They said they would go and get some sticks in the Upper Bristol-road; and they then went in that direction. On their return they had very large sticks and began to beat in the outside

William Bullock corroborated the prosecutor in every particular.

John Stubbs, the constable, apprehended the prisoner immediately after the transaction, and found upon him two sovereigns and a bundle of flash notes, of the "Bank of Elegance, and Bank of Fashion," in his watch-pocket. The jury found the prisoner *Guilty*.

6. BRISTOL RIOTERS.—SPRING ASSIZES.—GLOUCESTER.—Joseph Mills, William Spokes, and Henry Hurd, were charged with having, on the 30th of October last, near Bristol, riotously and tumultuously assembled with a great concourse of persons, armed with iron bars and staves, broken open the dwelling-house of John Mack, and therein destroyed his property to the value of 100*l*.

It appeared from counsel's statement, that after the demolition of the prison of Lawford's-gate, Bristol, a mob came to the house of the prosecutor. The prisoner Spokes was there, armed with an iron bar. A person in the house offered the mob beer to desist. He seized first a bar, and then a gun, in order to resist them, but was overpowered. The prisoner Spokes demanded whisky of the prosecutor's wife, and when she said that she had none, he struck her a blow with an iron bar.

William Field stated, that he lived in Bristol, in the house of John Mack, the prosecutor. He keeps a public-house, and is a cattle dealer. On the 30th of October, at about ten o'clock at night, a mob consisting of twelve persons, came to the house. It was when the prison at Lawford's-gate was on fire. They came from the prison. The numbers soon increased to about 100. They

began to break the house shutters and the doors with iron bars. They broke the outer doors. He saw the prisoners Mills and Spokes. Spokes used an iron bar, or poker, in breaking the door. He tried to prevent the mob from entering the house. He told them, if they wanted drink they should have it; but as the prosecutor, Mr. Mack, was not at home, he should not allow them to go in. They would not heed him. They forced their way into a narrow passage inside the front door. One of the mob endeavoured to strike him with an iron bar, but he knocked him down. The bar was like the one he now produced (the witness here produced an iron bar nearly four inches thick, and a yard long.) He got the bar, and he beat them out of the house. They rushed in again, and he was struck down again by a blow on the head from an iron bar. The mob was breaking every thing in the house. The prisoner Mills was breaking the things with an iron bar. When he was knocked down by the iron bar, all the prisoners were close to him. He knocked one man down with the butt end of a gun. He got out of the house, and sat on a stone on the outside. They cut the gas-pipes that were along the windows, and tried to set the house on fire. A part of the window curtains were burned. Saw Mrs. Mack, the proprietor's wife, receive a blow on the back of her head. Is certain that if the gas had not been put out, the house must have been burnt down. He saw the house the next day; the outer door was destroyed. Sixty-six panes of glass were destroyed, and the sashes were broken. The house was a district post-office. The

Examination resumed. — She next ran to the cradle, where the infant had lain. The cradle was empty, and one of the mob, with an iron bar, knocked it from one end of the room to the other. She did not then know what had become of her infant, which was but a little more than a month old. She did not see the gas-pipe broken. She was carried away before they did so. Witness did not know how she got out of the house. The next thing she was sensible of was, that she was at a neighbour's house, where she found her infant and the other children. The next morning she went back to her own house, and found it ransacked from top to bottom, with neither doors nor windows in it. There was not a single fixture remaining, and all the moveables were broken, and what was not broken was stolen. The gas pipes were cut, and the curtains burnt. She had known all the prisoners before, and the prisoner Spokes had been in the habit of coming and drinking in the house for the last nine or ten months: the other prisoners she had known for the last three or four years.

The prisoners said nothing in their defence, but called several witnesses as to character, who gave them a very good one.

Mr. Justice Taunton summed up the evidence, and said, that, in the absence of positive proof, and when there was the existence of doubt, evidence as to the character would prove highly beneficial, but he feared in the present it would but little avail.

The jury almost immediately found the prisoners *Guilty*.

The learned judge, having called back Mrs. Mack and her brother

Field, told them, that, in consequence of their intrepid conduct, he ordered them a reward of 10*l.* each.

SHOOTING A POACHER.—CHESTER.—Before Mr. Baron Bolland. —Henry Gray, gamekeeper to sir Thomas Stanley, was indicted for the manslaughter of Thomas Griffiths. The Grand Jury threw out the bill for murder.

Henry Hesketh (a poacher now in custody), I live at Backford, and am now a prisoner in Chester-castle. I knew Thomas Griffiths, now dead. I met Griffiths by appointment, at twelve o'clock, on Saturday night the 11th of February, in a field near his father's house. There were four of us in the party. We went to a place called Dean's-wood, Badger's-rake. The others went into the wood, I stayed outside: this was about two o'clock. Three men, Henry Gray, the prisoner, John Bell, and John Williams, came up: they had a dog; some one of them shouted out, "Here they are, we have them." The men in the wood ran out to where I was. Some of our party said, "Keep off, we won't be taken." Our party then moved off, and went into a grass field. They said we had no need to run, for they knew two of us. We then went into a second grass field, and they called out, "Here they are, stop them." We then went into a wheat field, and they still followed close upon us. We went out of that field into another wheat field; the keepers said, they would follow us till daylight. We said they might follow us where they liked. We went from that field into Badger's-rake-lane. The keepers said, "You are going at a great rate, you want some allow-



ance (drink) at Sutton." We came to a large field in the occupation of Mr. Harbridge, near Sutton-hall. The keepers were five or six roods behind us at that time. They shouted out, "Hey bitch! hey bitch!" I turned round and saw the bitch close upon us. Griffiths turned round and shot the bitch, and she rolled over close to my feet. A barrel was then fired at Griffiths by the man at the left hand of us, who was the prisoner Henry Gray, who was then four or five roods from Griffiths. Griffiths was within one yard of me when he was shot. Another shot was fired, but I cannot say which of the other party fired it. The keepers then came running up to us, and Griffiths took the barrel of his gun, and raised it up, saying, "D—n your eyes." Henry Gray put the muzzle of his gun up to Griffiths, and said, "Hit me, hit me." One of our party said, "You have done for yourselves by shooting, mind if you have not." One of the keepers said, "Nay, we have not; you shot first; you shot the dog." "There's difference between shooting a dog and shooting a Christian." Bell said, "I did not shoot at you; I shot in the air." The keepers then slackened their pace, and we made a bit of a run. Griffiths called out, "Don't run." I and others slackened our pace. Henry Gray came up on the left hand of us, with his right hand on the lock of his gun, and the gun resting on his left hand. We ran off, but Griffiths was overtaken in a ditch, and a scuffle ensued between him and Henry Gray and John Williams. I took a part in the scuffle. I am quite sure of the men; they took me as well as Griffiths. Grif-

fiths said, he could not walk, for he was shot in the thigh and leg. Henry Gray told Bell to carry Griffiths on his back, and he did so, for about fifteen or twenty roods towards Sutton-hall. He was then laid down on the grass. Gray had a double-barrelled gun. He went to call up Harbridge, the occupier of the field, who lived close by, and carried his gun with him.

Peter Oakley, servant man to Mr. Harbridge, of Sutton, proved, that the prisoner Henry Gray came to his master's house on the morning of the 12th of February, and asked for a horse, saying, they (the keepers) had had a fight with the poachers, and had taken one of them, he (Gray) having shot him in the legs. Witness saddled the horse, and went with Gray to the spot, where he found Thomas Griffiths on the ground. Gray asked Griffiths to get on the horse; but he said, "Oh! dear, I can't ride on the horse." At the request of Gray, witness took the horse back, and put him into a shandry. Witness, Thomas Griffiths, and one of Gray's assistants, went in the shandry to Puddington.

Cross-examined.—Gray said to one of his men that he must go directly and fetch Mr. Young, of Neston, the surgeon, telling him what had happened, and that it was for sir Thomas Stanley.

Mr. Harbridge of Sutton corroborated the evidence of the last witness, respecting the shandry being applied for by Henry Gray. —Llewellyn Jones, M. D., house surgeon to the Chester Infirmary, said—I visited the deceased, Thomas Griffiths, in the Castle of Chester, on Monday, the 13th of February. He had gun-shot wounds

on the legs and thighs ; there were about twenty-eight shots in one of his legs. I did not apprehend any danger at first ; but on the 10th day, Wednesday, the 22nd, I observed symptoms of *tetanus*, commonly called lock-jaw. I then apprehended danger. The disease continued until Friday, the 24th, when he died. In my opinion the *tetanus* was caused by the shots in the legs which I have mentioned.

The prisoner, in his defence, said he fired only once, and he was very sorry for what had happened. The following witnesses were called in his behalf :—

John Williams.—I and John Bell were out as assistants, on the night in question, with the prisoner Henry Gray. We heard some firing in Dean's-wood. We saw four men there ; three of them came out of the wood and went into a meadow. Three of them had guns, and the other a large bludgeon, which I now produce. They cocked their guns, and said, " Keep all together." We had a bitch with us. After we saw the men, a muzzle was put on her by Henry Gray. I held the bitch while he did it. We then went towards the four men ; they said, " D—n your eternal eyes, keep off, or we'll let leet (light) into you." At length we came to Harbridge's field. Before we got there the four men were within the range of our guns, if we had thought proper to shoot at them. We did not let the bitch loose, before we got there. We did not know any of the party, until we got to Harbridge's field. We let the bitch loose, and she went towards the four men. When she got about half way between us and the men, the left hand man turned round and shot her—she howled and fell.

We went up towards the dog. When we got up to about where the dog was, a second gun was fired by the other party at us. Up to this moment no one of our party had fired. Upon this Henry Gray fired, and the men still kept going on. Before they got to the fence John Bell and another of our party fired also. One of the men said, that the keeper had fixed himself by firing the gun, but there was not a word said about there being a great difference between shooting a Christian and a dog. When we ultimately came up with the men, a severe scuffle ensued, in which I got knocked down senseless in the ditch, by a blow from the butt end of a gun. Gray seemed to be much concerned at what had happened.

Cross-examined. — I did not break a gun stock upon one of the men's heads. I won't swear that a gun stock was not broken upon a man's head by one of our party. This was not on our manor. Gray said he would fire at them before he did fire.

Re-examined.—He did not say so, until after they had fired the second shot.

John Bell—was out assisting Henry Gray on the night in question ; and he corroborated Williams as to the fact of two guns having been fired by the other party before Henry Gray fired. Subsequently witness fired also ; but he shot over the heads of the party.

Cross-examined.—I broke my gun over the head of one of the men in a scuffle. I was in Chester at the time of the inquest, but did not go before the coroner, and I have been out of the way almost ever since.

Mr. Young, surgeon, of Neston.

—I went to Puddington to see the wounded man, about six o'clock on Sunday morning, the 12th of February: the wounds were chiefly superficial. I probed the deepest, which was about the third of an inch. I did not consider the wounds dangerous, and gave it as my opinion to the committing magistrate that he might be removed with safety. I examined Bell and Williams also, and dressed their wounds.

Lord Molineux was called to speak to the prisoner's character for humanity, whom he had known for several years, and who had formerly lived in the service of his father, the Earl of Sefton. His lordship spoke in the highest terms of the prisoner. Many other witnesses gave the prisoner an excellent character for humanity.

The Jury found him *Guilty*.

7. SALE OF A WIFE BY HER HUSBAND. — The inhabitants of Carlisle witnessed the sale of a wife by her husband, Joseph Thompson, who resides in a small village about three miles from the city. He rents a farm of about 42 or 44 acres, and was married at Hexham, in the year 1829, to his present wife. She was a spruce lively damsel, apparently not exceeding 22 years of age, and appeared to feel a pleasure at the exchange she was about to make. They had no children during their union, and that, together with some family disputes, caused them, by mutual agreement, to come to the resolution of finally parting. Accordingly, the bellman was sent round to give public notice of the sale, which was to take place at 12 o'clock. This announcement attracted the notice of thousands. She appeared above the crowd, standing on a large oak chair, sur-

rounded by many of her friends, with a rope or halter made of straw round her neck. The husband, who was also standing in an elevated position near her, proceeded to put her up for sale, and spoke nearly as follows:—

“Gentlemen.—I have to offer to your notice my wife, Mary Ann Thompson, otherwise Williamson, whom I mean to sell to the highest and fairest bidder. Gentlemen, it is her wish as well as mine to part for ever. She has been to me only a bosom serpent. I took her for my comfort, and the good of my house, but she became my tormentor, a domestic curse, a night invasion, and a daily devil. Gentlemen, I speak truth from my heart, when I say, may God deliver us from troublesome wives and frolicsome widows. Avoid them as you would a mad dog, a roaring lion, a loaded pistol, cholera morbus, Mount Etna, or any other pestilential phenomena in nature. Now I have shown you the dark side of my wife, and told you her faults and her failings, I will now introduce the bright and sunny side of her, and explain her qualifications and goodness. She can read novels and milk cows; she can laugh and weep with the same ease that you could take a glass of ale when thirsty: indeed, gentlemen, she reminds me of what the poet says of women in general—

“Heaven gave to women the peculiar grace,

“To laugh, to weep, and cheat the human race.

She can make butter and scold the maid, she can sing Moore's melodies, and plait her frills and caps; she cannot make rum, gin, or whisky; but she is a good judge of the quality from long experience in tasting them. I therefore offer

her with all her perfections and imperfections, for the sum of 50s."

After an hour or two, she was purchased by Henry Mears, a pensioner, for the sum of 20s. and a Newfoundland dog. The happy couple immediately left town together, amidst the shouts and huzzas of the multitude, in which they were joined by Thompson, who, with the greatest good humour imaginable, proceeded to put the halter, which his wife had taken off, round the neck of his newly-acquired Newfoundland dog, and then proceeded to the first public-house, where he spent the remainder of the day.

9. STEAM-BOAT DESTROYED, AND GREAT DESTRUCTION OF LIVES.—CINCINNATI, in the UNITED STATES.—About 7 o'clock at night, the steam-boat, Brandywine, with a great number of passengers, took fire and was burnt to the water's edge. The fire spread so rapidly, that from sixty to eighty passengers lost their lives. They attempted to run the boat ashore, but it grounded in nine feet water, some distance from the shore. The mate swam ashore with a rope's end in his mouth, and thus afforded the means by which most of those who were saved, were enabled to escape: but the women and children were all destroyed.

At the time the boat took fire she was racing with the steam-boat Hudson, and the Brandywine had stopped for an hour and a half to make some repairs; on getting under headway, a large quantity of rosin was thrown into the fires, and the sparks set fire to some straw which lay near the chimnies. The number of passengers and hands on board was about 200; and out of the whole there were but 75 saved.

Many of the passengers who reached land died before the next morning. In attempting to get the yawl out, the steam-boat ran upon and sunk her. Nine women were lost, six of whom were black servants.

10. MANSLAUGHTER.—CHES-TER.—Joseph Senior, a person who practised as a man-midwife, was indicted for manslaughter, by causing the death of a child at the time of its birth.

The main question was whether the child was dead or alive at the time when the prisoner, by his own account, did that which would have occasioned its death if alive.

Mr. Baron Bolland, in summing up, told the jury there were two material questions for their consideration: first, whether the child, which was the subject of this indictment, was, or was not, born alive? and next, whether, if so, its death was caused by the negligence or the gross ignorance of the prisoner? His lordship then referred to all the cases from that of Williamson, in 1807, to the recent one of Mr. St. John Long, at the Old Bailey. In the former case Lord Ellenborough distinctly laid it down, that it was only gross negligence, or gross ignorance on the part of the practitioner that would render him legally liable for the consequence of any error in treatment he might have committed; and that prisoner was acquitted. The same doctrine had been held by Mr. Baron Bailey in the recent case of the second trial of Mr. St. John Long,—that, if any medical practitioner, either by gross negligence, by tampering with the health of his patients, and making experiments with new medicines of unknown powers, or by gross ignorance, caused death, then he was

legally answerable for the consequences; but if even a person not regularly qualified to exercise the medical profession, but still having considerable experience and skill, and anxious to use that experience to the best of his knowledge and judgment, caused death by any mistake in practice, he was not be legally answerable for it.

His Lordship then recapitulated the evidence, and the jury, after a short deliberation, returned a verdict of *Guilty*.

11. MIDDLESEX SESSIONS.—  
TRIAL AND CONVICTION OF  
THE FAST - DAY RIOTERS.—

Richard Knowles, Henry Dunsden, John Barrett, Charles Manning, Peter Kates, George Heycock, Edward Webster, and John Wilson, were indicted for unlawfully, riotously, and tumultuously assembling on the 21st of March last, with 5,000 persons and upward, whose names were unknown, and for remaining so assembled for more than the space of three hours, against the statute and his Majesty's peace.

They were also charged in other counts with committing divers assaults upon certain persons named in the indictment, several of them also, were charged upon second indictments in which the whole number were not inculpated.

Mr. M'Donald, a superintendent of police, deposed, that he was in Finsbury-square on the day in question. He arrived there about half-past 10. A great number of persons were in the square, but all was at that time tolerably quiet; however, an inclination to outrage soon manifested itself. Mr. Mayne, the head commissioner, Mr. Bennett, the magistrate, and several other persons in authority, were on the spot. Witness walked round

the square with them, 500 or more policemen being stationed at different places in and adjacent to it. The magistrates and himself were pelted repeatedly with mud, glass bottles, stones, and other missiles, and the police force was insulted, but did their duty firmly. Several of them were dangerously wounded. The police and magistrates assembled there by an order issued by Lord Melbourne.

Upwards of thirty witnesses were called to prove the outrage, and their testimony affixed more or less guilt upon all the defendants.

A number of witnesses were also called to prove that some of the prisoners, in addition to throwing stones, &c. cried out "Pelt away, boys; at them; now for it; down with the police, &c.;" and that the policemen acted with great forbearance.

The jury returned a verdict of *acquittal* as to Wilson, and of *Guilty* against all the other prisoners.

Knowles and Dunsden were sentenced to be imprisoned for six calendar months, and kept to hard labour; Webster to two months imprisonment; and the others to four months imprisonment.

12. COURT OF COMMON COUNCIL.—Mr. Savage rose to bring forward a motion to this effect:—"That the order of the Court of the 15th of March last, for closing Farringdon-market from 12 o'clock on Saturday evening to the same hour on Sunday night, be rescinded, and that the market be kept open on Sunday morning until a quarter before 11 o'clock." It was, he said, a hardship on the tenants of the market, who originally took their leases under the persuasion that the market would be left open until 11 a. m. on Sunday,

now to be deprived of the benefit of the Sunday sale. He contended that it was no desecration of the Sabbath to leave the market open until a quarter to 11 o'clock on Sunday: and it was the duty of the Corporation to fulfil their contract with their tenants.

The motion was keenly supported and opposed; and, after a long and stormy debate, was lost by a large majority.

23. CORONER'S INQUEST.—An inquest was held in the Board-room of Middlesex Hospital, before Mr. Stirling, coroner, on view of the body of Margaret Coleson, a poor woman, 39 years of age, who came by her death under the following circumstances:—

Anne Brown, a lodger in the same house with the deceased, deposed that, on Sunday last between 1 and 2 o'clock, she was dining with the deceased and her family, consisting of her husband and seven children. The deceased had put a piece of mutton into her mouth, when the meat slipped down her throat, and remained some time there; the deceased appeared to endure great agony, and witness patted her on the back to endeavour to relieve her, but it had no effect. The deceased in her agony took up a knife and forced the handle of it down her throat, for the purpose of forcing the meat down, but could not. Mr. Patterson, a surgeon, residing in Wardour-street, Oxford-street, was then immediately sent for, who used every means to dislodge the meat, but could not. Mr. Patterson recommended the deceased to be immediately removed to the Middlesex Hospital.

Mr. Lonsdale, house-surgeon to the Middlesex Hospital, deposed that the deceased was brought to the hospital on Sunday afternoon

between 1 and 2 o'clock, in a state of suffocation, from having swallowed a piece of meat. Witness immediately attended her, and endeavoured to extricate it, but did not succeed, the deceased having forced it with the handle of a knife through another part of the throat. The deceased lingered in agony until 2 o'clock on Monday morning. After a post mortem examination, the piece of meat, which was extremely small, was extracted, having been forced with great violence through the side of the throat.

The jury returned a verdict of "Accidental Death."

OPENING OF THE NEW BRIDGE AT STAINES.—This day his Majesty and his Royal Consort honoured with their presence the opening of the new bridge at Staines.

The new bridge consists of three extremely flat segmental arches of granite—a middle arch of seventy-four feet span, and also two side arches of sixty-six feet each; besides two side arches of ten feet each for the towing paths, and six brick arches of twenty feet span each,—two on the Surrey side, and four on the Middlesex side, to allow the floods to pass off. The whole is surmounted by a plain bold cornice, and block parapet of granite, with pedestals for the lamps, and a neat toll-house. The appearance of the new bridge is very light and elegant, the piers being smaller in proportion to the span of the arches they support than in any other bridge in England.

The approaches to the bridge on either side form gentle curves of easy ascent. The cost of the bridge and the approaches was about 41,000*l*.

25. CORONER'S INQUEST.—An



inquest was held on view of the body of Mary Ann Read, nineteen years of age, who committed suicide under the following circumstances :

William Henry Witty, an errand-boy in the service of Mr. Wm. Baize, surgeon, No. 12, Aldgate High-street, deposed, that the deceased had been in his master's service as housemaid about six weeks. Latterly she appeared uneasy in her mind, which he (witness) attributed to the circumstance of having received warning to leave, which expired on the day she committed suicide. On Sunday morning last she appeared somewhat strange in her manner, and inquired of him whether oxalic acid had not much the taste of salts? He replied, no, it was much hotter. She then asked him where it was kept in the shop? and he told her. Nothing further happened of a particular nature that day, and she retired to rest as usual, about eleven o'clock at night. She was missed soon after breakfast on the following morning, and search being made for her, she was at length discovered in her chamber, at the top of the house, stretched on the bed, with her mouth wide open, her legs crossed, and the whole of her features much distorted. On examination she was found to be quite dead.

Mr. Thomas William Baize, the master of the preceding witness, corroborated his evidence. From certain appearances, he concluded that she had destroyed herself, and there was a quantity of discoloured liquid in a basin, which appeared to have been ejected from the stomach. This liquid he showed to his assistant, Mr. Hammond, who having tasted it, could not discover any thing of a deleterious nature.

Coroner.—How came you to send me a certificate, stating that the deceased had died a natural death from apoplexy, when there was every appearance that she had died from poison?

Mr. Baize, in explanation, said, that the event had so flurried him, that he was hardly conscious of what he did. It was the opinion of Dr. Davis, who had taken a superficial view of the body soon after death, that she had died of apoplexy, and by this opinion he had been guided. He had, however, subsequently discovered on the floor of the apartment unequivocal marks of oxalic acid having been spilt there, which left no doubt in his mind that she had committed suicide.

Dr. S. Smith, of New-street, Broad-street, deposed, that he had opened the body of the deceased that morning, when the appearances which were presented to his view left no doubt on his mind that the deceased had taken a very large quantity of oxalic acid; the contents of the stomach were also strongly impregnated with it. A piece of paper wrapped round a cross bun was found in her box, on which was written—"O take this bun from me; I have been happy, but those days are over and gone; and pain and sorrow have come upon me. I must leave this world of care. Mary Ann Read, April 30."

Verdict, "Temporary insanity."

*Bellchambers v. Hadley*.—This was an action of damages, brought by the plaintiff, now editor of a London newspaper, for the publication of a libel in the Cheltenham Journal, of which the defendant is registered proprietor.

The facts of the case were these : In 1828, Mr. Griffiths proprietor

of the Cheltenham Chronicle, brought an action for libel against the present plaintiff and Mr. Gardiner, who were at that time proprietors of the Cheltenham Herald, in which a series of articles had appeared, containing several offensive imputations against Mr. Griffiths.

The case then came on before Mr. Justice Park. A very humiliating apology was made by Mr. Gardiner, and in consequence Mr. Campbell, who appeared as Griffiths's counsel, agreed to allow a nominal verdict of 1,000*l.*, to be entered as against Gardiner; and, as against Mr. Bellchambers, a verdict of "not guilty." A report of the proceedings was inserted in the Cheltenham Journal, in which Mr. Campbell was represented to have said, that he, on Mr. Griffiths's behalf, was perfectly satisfied with Mr. Gardiner's apology; "that as to the other defendant Bellchambers, he was a bankrupt in trade, to whose praise or censure Mr. Griffiths was perfectly indifferent. From him he asked no apology; he would receive none, as even the mere acceptance of one from such a person would be a contamination." A few days after there appeared in the same journal what purported to be a correction of the former report, and a more accurate detail of Mr. Campbell's words. It ran thus:—"As to Bellchambers, his praise or censure would not affect him in any degree, and even an apology from him he held to be a contamination." The present action was grounded on these reports. It was contended that the words were never used by Mr. Campbell, and that even had they been so, they should not have been published, as a verdict had been entered, and the proceedings

were then over. The publication of the libels having been proved, and the defendant's proprietorship of the Cheltenham Journal.

Mr. Williams addressed the Jury for defendant. Mr. Justice Taunton charged the Jury, who, in about five minutes, returned a verdict for the plaintiff—Damages, 1*s.*

27. OUTRAGE AT MANCHESTER.—A body of weavers, about 200 in number, proceeded to the dwellings of several work-people, assaulted several of the weavers whom they found at work, and took the pieces forcibly from the looms, in order to deter them from taking work at prices which the rioters asserted were insufficient. The police secured some of the disturbers of the peace, and they were committed to prison.

After one of the weavers, named Mulvany, whose house had been attacked, had returned home from giving his evidence, his house was a second time forcibly entered by a party of men, while a number remained outside, crying out to those within, "knock his brains out—throw him out of the window." Those inside said, they would teach him to disobey their orders. One of his assailants drew a knife and stabbed him in the cheek.

The magistrates granted warrants against the parties, which were immediately put into the hands of the police for execution; and as three or four of the men named in it were known to work at the factory of Mr. Alexander Eads-worth, in Mather-street, where a number of Irish weavers were employed, about fifteen police-officers, armed with cutlasses, proceeded, about three o'clock to that place. On arriving at

On the following morning she went to call him. She knocked at the door, but, receiving no answer, she looked through a window into the room, and beheld the deceased reclining his head over a wash-hand basin, which stood on a table, with a gash in his throat. She instantly gave an alarm, and the porters coming to her assistance, the door was forced open; they then entered, and on examining the deceased, found life perfectly extinct. A bloody razor was firmly grasped in his right hand. His head was nearly severed from his body.

Mr. Murdo Young, editor of the "Sun" newspaper, deposed, that the deceased had been the publisher of that journal for the last six years, and generally conducted himself with so much propriety, that unlimited confidence was placed in him. The last time witness saw him was on Saturday night after the publishing of the paper, and he did not then observe any thing particular about him, but he believed he had been under medical treatment for some time. As he did not make his appearance at the office at the usual hour on Monday, inquiry was made after him at all the police-offices, but to no purpose. On that morning a letter was brought to the office, which had been received from the deceased by his cousin; it was dated from Brighton, and he complained in it that he was sorely distressed in his mind, but witness was not aware of the cause of his uneasiness.

Juror.—Was he in embarrassed circumstances?

Witness.—Not that I know of.

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Juror.—Had he over-drawn his account?

Witness.—Yes, a little, but not to any great extent.

Juror.—Had you intimated that you meant to discharge him?

The witness answered in the negative.

A person from the Blossoms-Inn proved that the deceased arrived there on Wednesday morning by the Brighton mail, and that, having no money, he had deposited his watch with the bookkeeper as security for his fare, which amounted to 12s. Verdict—Temporary insanity.

4. VISIT OF THEIR MAJESTIES TO WOOLWICH AND GREENWICH. —At eleven o'clock their Majesties and suite, in seven of the royal carriages, each preceded by two outriders, and having each two servants behind, left St. James's Palace, and went by the usual route over Westminster bridge, and through the London-road, along the Kent and Deptford-roads. Their Majesties were preceded by a detachment of the 9th Lancers, and escorted by a troop of the same regiment.

As the royal procession moved along, their Majesties were loudly and cordially cheered.

The procession passed over Blackheath to Woolwich, at which place a party of the Royal Horse Artillery was stationed to keep the streets clear.

At ten minutes after twelve o'clock a flourish of trumpets announced the arrival of the royal party at the gates of Woolwich dock-yard. After sailing up to the dock in which the Vernon is lying, the royal flotilla started for Greenwich in the following order:—

F

The Harbour-master's Barge.

The Admiralty Barge.

The Navy Barge.

The Ordnance Barge.

Two private Steam-boats.

Captain Warren (8-oared pinnace.)

ROYAL BARGES.

Pinnace—Captain Sir F. A. Collyer.

THE KING'S BARGE.

Pinnace—Commander Bullock.

Pinnace—Junior Lieutenants.

Pinnace—Vice-admiral Sir J. Beresford.

Pinnace—Captain Chambers.

Pinnace—Captain Symons.

Pinnace—Senior Lieutenants, with 25 oars.

Two private Steam-boats.

Their Majesties were received on their landing by Admiral Sir Richard Keats, the governor, and several other officers of the hospital.

**COLLIERY DISTURBANCES AT NEWCASTLE.**—Mr. Forsyth, the Town Marshal, with a considerable body of the police and special constables, went down the river for the purpose of ejecting the pitmen at Friar's Goose and their families from the houses they occupied there, which, by their engagements with the coal-owners, they were to quit on the nineteenth of April. The officers had fire-arms with them. On landing at Friar's Goose, they found an immense number of pitmen assembled in front of their cottages. The town marshal, in their presence, served out to his men two rounds of cartridge and swan-shot, and begged the colliers to commit no breach of the peace. The police then proceeded to turn out some of the people, and put out their furniture. This went on for some time without much difficulty, till Mr. Forsyth went to Mr. Easton's house for refreshment. The pitmen observing that a part of the police had deposited their arms in

a house used as a guard-house, rushed down in great numbers, overpowered the sentry, and carried off the guns. They then assailed the police with stones and other missiles. The noise brought Mr. Forsyth to the assistance of his men. On his way he was knocked down. With difficulty he at length reached his men, who were mostly stationed at the foot of two hills, occupied by their assailants. Finding their lives endangered by the brickbats showering on them, they fired upon the crowd, and gained a rising ground eastward. They then sent off expresses for the military, who reached the spot, attended by two magistrates, the mayor of the castle, and Mr. Collinson. The men had by this time, in a great measure, dispersed. Three or four of the pitmen were wounded. Mr. Forsyth was severely wounded in his head and leg. Upwards of forty persons were apprehended.

**18. CHARGE OF MURDER.—OLD BAILEY.**—Maria Poulton was indicted for the wilful murder of her new-born female child, on the 13th of April last.

From the evidence it appeared

that the prisoner had lived as cook at the Coal-hole Tavern, Fountain-court, Strand. On the 13th of April last she was taken very ill, and one of her fellow-servants, from appearances which she then observed, and having previously suspected her of being in a state of pregnancy, accused her of having given birth to a child. This she at first denied, but ultimately confessed the fact, and after some hesitation she took the body, which was wrapped up as a bundle, out of her box.

Mr. Jones, a surgeon, stated, that he was called in to attend the prisoner on the 13th of April, and described the state he found her in, and the condition of the room. On examining the body of the child, it appeared to have been born for several hours, and had a mark on the neck: the lungs were perfectly formed, and fully inflated, and every appearance indicated that it had been born alive and breathed; one side of the face was drawn up, and the tongue protruded. The general appearances of the body were such as to induce him to believe that death was the result of strangulation.

Drs. Lea and Beaman, who were present at the examination of the deceased child's body, were of opinion that its death had been produced by strangulation.

Mr. Thomas, the superintendent of police, deposed, that on the 13th of April he went to the Coal-hole Tavern, where he found the prisoner in bed, and the body of a new-born female child, wrapped up in an old night gown and apron, in the same room. On examining it, he found a piece of tape along with the body, which was covered with blood, and appeared to have been cut from the night-

gown. He asked the prisoner to account for the death of the child. She replied, that she had no knowledge of it. She subsequently stated, that the name of the father of the infant was Thomas Harris Harrison.

The prisoner declared, that at the time she was perfectly unconscious of what had taken place, or what she did.

Mr. Rhodes, her master, and several respectable persons, gave her an excellent character for kindness and humanity.

The jury acquitted the prisoner of murder, but found her guilty of concealing the birth.

22. DESTRUCTIVE FIRE. — About five o'clock this afternoon a fire broke out in the extensive brewery of Messrs. Barclay, Perkins, and Co., on the Bankside, in the Borough of Southwark. The fire broke out in the engine-house. In a few minutes after the first appearance of the fire, it burnt with such fury, that no exertions on the part of the body of workmen belonging to the establishment could get it under. In a very little time, a body of fire-men belonging to the different assurance offices, with all their engines, were on the spot, and a large assemblage of the police force soon mustered to keep off the crowd; but even with all these precautions to confine the fire to the building where it originated, it spread round to the adjoining buildings and warehouses, and before ten o'clock, it had destroyed Mr. Perkins's dwelling-house in Park-street, extended its ravages down nearly to the river, consuming the large warehouses, which were filled with malt and hops. At eleven o'clock the fire was got under, though with the destruction of an immense

property in buildings, malt, and hops.

**MELANCHOLY DEATH OF CAPT. GEORGE BURDETT, R. N.**—A coroner's inquest was held at the Castle inn, before F. H. Gell, Esq., to inquire into the circumstances attending the death of Captain Burdett.

Ann Wells deposed.—I live as servant in the family of the deceased, at 21, Western-road. Captain Burdett came to Brighton on Thursday last; he was in bad health, but was not under the care of any medical gentleman at Brighton. The daughter of deceased gave me a prescription to take to Mr. Moore's, a chymist in Preston-street. I saw a young man to whom I gave the prescription, and told him to send it to my master's when ready. In about two hours the medicine was sent, and I took it in from the man-servant at No. 20, who had taken it in by mistake. The bottle was wrapped in paper like the prescription. I gave it to Miss Catherine Burdett. A pill was with it. She asked me for honey to give the pill. I was present, when Captain Burdett died. The pill was given at night, and the draught in the morning. I saw Captain Burdett on the Saturday, when he seemed quite well. At the request of Miss Burdett, I went into his bed-room about nine o'clock the same evening, when he was in dreadful agony, and suffering pain in the head. I scarcely left the room from that time till he died, about eight o'clock on Sunday evening.

James Brady, a servant in the family of Mrs. Brooks, at No. 20, Western-road, deposed, that, having received some medicine from a boy in Mr. Moore's service, between nine and ten o'clock on Fri-

day night, for Captain Burdett, he took it into No. 21 directly, and placed it on a table in the kitchen, naming it to the witness Wells.

Frances Dinham, also a servant in the family of the deceased—I received a phial, but not a pill, on Friday night, at eleven o'clock, from Mrs. Burdett who desired me to give it to Captain Burdett as early as possible in the morning. It was a common bottle. There was a label on it; it was sealed, and black paper was tied over the cork. I did not read the label. I was also to give some tea with the draught. I gave deceased the draught about half-past eight on the Saturday morning. He swallowed it all but about half a table spoonful. I gave him a cup of tea afterwards; he desired me to bring a piece of bread, which I gave him. About twenty minutes after I gave him the draught, I went into the room, and found him vomiting. He said, on my asking if I could do anything for him, "No; I am very sick, but I dare say I shall be better in a few minutes." Half an hour subsequently, when I again went into his room, he was still very sick. He asked if I thought the medicine was right; I said I did not think it was the same he had been accustomed to take; I concluded from the smell it was not the same. I saw the deceased several times in the course of the day, and was with him when he died. He was constantly vomiting during the day. About a quarter before nine o'clock, I informed Mrs. Burdett of my suspicions, and Mrs. Burdett directed me to bring the bottle to her. Mrs. Burdett smelt the bottle, and was very much alarmed. About seven o'clock in



the evening Captain Burdett appeared to be getting worse; he slept between five and six o'clock; he took a little broth about three o'clock, and some asparagus at five; he ate heartily, and then appeared cheerful.

Mr. John Dill.—I am a surgeon, residing at 21, Regency-square. On Saturday morning I was called from a house on the King's-road, about ten o'clock, by a lady who said her husband had taken medicine by mistake, and begged that I would accompany her. We got into a fly, and drove to Mr. Moore's where I ascertained that a preparation known as the spirits or oil of tar had been prepared by Mr. Moore's assistant, Mr. Heath. Inquired what medicine had been sent by mistake. One of them said it was oil of tar. I desired the bottle should be brought from whence it was taken. Mr. Moore handed the bottle to me, and I tasted it in order to ascertain its power; its power was stimulating, but not so as to induce me to apprehend any thing dangerous. I learnt from Mr. Moore and Mr. Heath that one ounce and a quarter had been sent. I think it was Mr. Moore who answered me. I took a phial of sweet spirits of nitre, and accompanied Mrs. Burdett to her residence. I found Captain Burdett lying quiet in bed. On examining him I found no excitement of the vascular system; his pulse was very regular. He said he was in no pain; he complained of an unpleasant taste in his mouth, accompanied with nausea. Deceased told him he had vomited shortly after he took the medicine. What he vomited had rather the appearance of tea, smelling of tar. I was told he had vomited a quart. I then ordered saline draughts and

half a tea-spoonful of sweet spirits of nitre and barley water. At twelve I returned, when the deceased was reading a newspaper in bed; he said he felt no pain; he vomited on that occasion. I ordered the medicines to be continued; returned between two and three, but did not then see him, as he was asleep. About seven I went again, when I understood he awoke with a head-ache, and Dr. Yates was called in. Mrs. Burdett requested me to call again between ten and eleven. I then found him labouring under great vascular excitement. I went for Dr. Yates, who came to the house with me. We agreed to have him cupped, which was done without any apparent advantage. Between twelve and one I bled deceased from the arm, and had an injection administered, and two pills ordered by Dr. Yates. The alarming symptoms increased. He continued to get worse, and Dr. Yates was again called in about three o'clock on the Sunday morning, when deceased was again bled from the arm. The applications as above described were frequently repeated. In the morning, between ten and eleven o'clock, deceased was cupped again. I considered him then in the most imminent danger. Either Dr. Yates or myself remained there till his death, applying such means as we thought likely to relieve his sufferings. He died about twenty minutes to eight o'clock in the evening of Sunday. Oil of tar I consider an aperient and diuretic, but I had not the slightest idea of the danger of its application. I could not have supposed that double the quantity would have destroyed life. In my opinion the small portion that remained of the oil of tar in the stomach, being

taken up by the absorbents, threw a preternatural quantity of blood on the brain, which, connected with the previously debilitated state of the patient, caused his death; but if I had taken it, I think it would not have had the same effect. The preparations of tar are not ranked among poisons. Mr. Heath told me ultimately that he had made a mistake in placing the labels.

Dr. Yates said, that in his opinion the cause of death was, that the heart had been stimulated to such inordinate action that the brain became gorged with blood; the medicine was the exciting cause.

James Mathews, errand boy to Mr. Moore, deposed, that Heath gave him the medicine to take to Captain Burdett's. Heath told witness, that, whilst he was preparing Captain Burdett's medicine, a person came in for oil of tar, and that he had in the hurry placed the label on the wrong bottle.

The jury returned a verdict of manslaughter against Heath.

24. **HYDROPHOBIA.** — An inquest was held before the coroner for Kent, at the parish of Saints Cosmus and Damian in the Blean, on the body of John Wood, a son of labouring people there. From the testimony of the mother the following facts were elicited:—About seven weeks since, the child was sitting under a hedge close to the house of his parents, when a dog ran from the turnpike-road directly towards the boy, and, seizing him by the hand, from which it drew blood, immediately made off again. Some apprehensions being excited in the minds of the neighbours that the dog was mad, the child was taken to a surgeon, where the hand was dressed, and nothing appeared to corroborate the

suspensions previously formed, until a month afterwards, when the boy became low and melancholy. In which state he continued, that till a few hours before his death, when he became raving, biting his tongue, and showing a complete dislike to all liquids, and in this horrible state he expired. The jury returned a verdict—"That the deceased died in consequence of having been bitten by a dog in a rabid state."

29. **SINGULAR CASE OF BIGAMY.**—John Pearmain, 23, labourer, was indicted at the Essex adjourned sessions for intermarrying with Catherine M'Carthy, his first wife being at that time alive. Freeman, parish-clerk of Chingford, proved the marriage of the prisoner on the 28th of July, 1831, with Catherine Connor. Catherine M'Carthy proved her marriage with the prisoner on the 1st of August, 1831. The jury found the prisoner *guilty*, and the learned Chairman then addressed him as follows:—"Of all the cases of this kind I ever heard of, this is the worst; for it appears from the documents, that while the bans were publishing for your second wife, you actually married Catherine Connor by licence, just three days before your second marriage. The sentence of the Court is, that you be transported for seven years." "Thank you, my lord," said the prisoner.

30. **MR. YOUNG'S FAREWELL OF THE STAGE.**—Mr. Young took his farewell benefit at Covent Garden Theatre, in Hamlet, the character in which he made his first appearance in London, in June, 1807. After the performance, he addressed the audience—

"Ladies and Gentlemen,—I have often been before you with a flut-

tering heart and a faltering tongue, but never till now with a sense of pain, and a degree of heaviness, which almost still the beating of the one and impede the utterance of the other. I would fain have been spared this task, but it might have been construed into disrespect towards you : it is the usage, and to that I bow. I very proudly acknowledge the indulgence—the great and continued kindness—you have shown me for five-and-twenty years. You first received and encouraged my humble endeavours with a Kemble, a Siddons, a Cooke, and an O'Neil, and by their sides I shared your applause. In this, the very last hour of my theatrical life, I still find myself cheered, supported, and upheld by your presence and approbation. Although retirement from the stage and from the excitement of an arduous profession has been long my fervent wish, yet, believe me, there are feelings and associations connected with these walls and with the boards whereon I stand, and where I have been so often cheered by your smiles and gratified by your applause, which make me despair of finding words sufficient to express my gratitude. I throw myself upon you to measure the extent of gratitude by the kind rule you have always observed when you have secured it. I surely say no more than the truth, when I state, that, whatever fame or fortune I may have obtained, or whatever worldly ambition I may have gratified, I owe them all to you. It has been asked of me, why I retire from the stage, while I am still in possession of all the qualifications I could ever pretend to unimpaired? I will give you my motives, although I do not know that you will receive them

as reasons ; but reason and feeling are not always cater-cousins. I feel the excitement and toil of my profession weigh more heavily upon me than formerly ; and if my qualifications are unimpaired, so I would have them remain. I know that they never were worthy of the degree of approbation with which you honoured them ; but such as they are, I am unwilling to continue before my patrons till I can offer them only tarnished metal. Permit me, then, to hope, that on quitting this place I am honourably dismissed into the bosom of private life, and that I shall carry with me the kindly wishes of all to whom I now respectfully and gratefully say—Farewell."

Mathews, who played Polonius to Young's Hamlet in 1807, did so again on this occasion.

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## JUNE.

5. SUPERSTITION.—DUBLIN.—The cholera having begun its ravages in Ireland, the peasantry procured a sovereign charm against its influence, which was described as follows in the Irish Journals of the day :—These three days past the country has been in an extraordinary state of excitement. Messengers are running and riding through the counties Carlow, Wicklow, Westmeath, Dublin, King and Queen's County, Meath, Wexford, and Longford, leaving a small piece of turf (peat fuel) at every cabin, with the following exhortation ;—"The plague has broken out, take this, and while it burns, offer up seven paters, three aves, and a credo, in the name of God and the holy St. John, that the plague may be stopped!" The messenger lays each

householder under "an obligation," as it is called, to kindle his piece of turf, set fire to seven other pieces, quench them, and run through the country to seven other houses wherein no turf has yet been left, and to repeat the same exhortation, and under a penalty of falling a victim to the cholera himself! Men, women, and children are seen traversing the country in every direction with this charmed turf, each endeavouring to be foremost in the finding of unserved houses. One man in the Bog of Allen, had to run thirty miles in one day, ere he could fulfil his task. The stories of its origin are various, but all agree that one piece of turf was blessed by a priest, and sent through the peasantry thus, where it multiplied itself and its powers of agitation sevenfold in every new hand. Nothing like it has been heard of since the time of the clan gatherings. The police are on the alert, and messengers have been arrested from Kilkenny, where the blessed turf arrived at noon on Monday, to this city, where it came pouring in last night. The higher classes receive the blessed turf, and laugh at the thing as a hoax on the peasantry, without troubling themselves in transmitting it further; but the poorer householders are, one and all, in motion to avert the cholera, and the curse of disobedience attaching to neglect. No one knows where the holy fire was first kindled. There are various accounts; it is said that it was first sent from Kilmayne, from Blessington, from New Ross, and from Roscrea; that lightning consumed houses in New Ross, and that the holy turf was first kindled at its fire, &c., but it is certain that the whole of the central counties of Ireland are

thrown into a singular state of agitation. Yesterday, along the whole line of the grand canal from Dublin to Shannon-harbour, people might be seen running. The captain of one of the packet-boats that arrived in this city last night, saw a turf-cutter running along the bank in the Bog of Allen, to whom he owed some money for fuel. He called to him—"Paddy, get in, and I'll pay you now." "I can't," replied Paddy, still running; "I've to serve seven houses yet with the holy turf, and I'd rather lose the money than earn the cholera." The priests, into whose parishes this wild-fire has spread, confess themselves as ignorant of its origin as the peasantry are.

9. DEATH BY LIGHTNING.—An inquest was holden at the village of Ardington, on view of the body of Martha Warman. When returning to Hendred from Wantage, in company with two young men, all three were struck to the ground by lightning. The two young men got up immediately; but their companion was quite dead. Parts of her dress were torn, her face of a dark purple colour, and blood flowing from her nose and mouth. The electric fluid first struck her on the left side of the head, and running round the wire of her bonnet, passed over the right breast, tearing the shawl and stays, passing downwards, slitting the glove on the right hand, and, on reaching the ankles, tore to pieces the stockings and boots. The two young men complained only of a slight tingling all over, but were otherwise uninjured.

12. ANTIQUITIES.—In taking down some houses in Briggate, Leeds, the workmen discovered in

the roof a small room, in which were found several implements used in coining, and a shilling of the reign of Queen Elizabeth, of the date 1567. The house in which they were found was occupied in the reign of King William III., by a Mr. Arthur Mangee, a goldsmith, who was convicted of high treason, in imitating the current coin of the realm, at the assizes, held at York, Saturday, the 1st of August, 1696, and executed on the 3rd of October following, having in the interval been twice reprieved. The principal evidence against him was a person of the name of Norcross, an accomplice, who stated that he saw him stamp a piece of mixed metal with the head of Charles II.: the coining, he said, was carried on in a small chamber, formed in the roof of the house. This room was visited by the then mayor, Mr. Iveson, and Aldermen Massie, Preston, and Dodgson. The mayor stated, that, when he came into the chamber which led into this room, there was what he supposed to be a closet with shelves, but it turned out to be the staircase leading into the private room, the passage to which was so straight, that he was obliged to pull off his frock, and creep on his hands and knees, and that in the chamber they found a pair of shears and some clippings of half-crowns. The Mace now used by the Corporation of Leeds was made by this unfortunate person, as appears by the following inscription:—"Arthur Mangey, de Leeds, —fecit, 1694:" two years before his execution.

12. ETON MONTEM. — This year took place the triennial celebration of this singular ceremony, the origin of which is obscure, but which appears to be co-eval with

the foundation of Eton college. It consists of a procession, formed by the whole of the Eton scholars, from the college to Salt-hill on the Bath road. Previously, and during the march of the procession, a collection is made from the company who are in attendance, and from all passengers on the road, for the benefit of the "captain," or head boy on the foundation of the school, preparatory to his departure for the University of Cambridge. The money collected is called "Salt." It is collected by the upper boys, called "salt-bearers," who are habited in very rich and fantastic dresses. The rest of the scholars are dressed in scarlet or blue coats, according to their rank in the school, and the whole spectacle is exceedingly lively and splendid. On the present occasion the dresses and decorations surpassed any thing witnessed on former occasions, and the sum of money collected exceeded the collection of any former period. It amounted to nearly 1,200*l*. The ceremony was attended by their Majesties, accompanied by Prince George of Cambridge, the duchess of Saxe Weimar, and attended by lord and lady Howe and children, and lady Gore and family. The procession, after parading before their Majesties, proceeded in military order, with banners flying, and accompanied by the bands of the Life Guards, and Scotch Fusiliers, to Salt-hill. The road was literally crammed with the carriages of the nobility and gentry, together with a very dense cavalcade of horsemen.

12. THUNDER STORM.—During a violent thunder-storm which broke over Stafford, about five o'clock in the afternoon, the lightning entered a house in E

street. It severed a door from the wall, and descending into a room below, where one of the female domestics was scouring a door, the brush she was using was shivered to atoms, and she herself was deprived almost entirely of the use of one side. In other rooms of the house the picture-frames were tarnished, and several of the inmates felt a shock. Walsall was visited by a similar storm, the rain descending in torrents for nearly two hours. A building recently erected for a warehouse was so deluged by the water from the adjoining hills, that the foundation gave way. Fortunately no person was on the premises. In the vicinity of Liverpool the damage done by the thunder-storm was considerable. At Walton, the lightning struck two labouring men, who were mowing, and affrighted by the storm, sought shelter under a tree. Their fancied security was but short-lived; one was killed upon the spot, and the other dangerously injured. The shop of a currier in Liverpool, was likewise struck, and much damaged. The windows were shaken from their frames, and the brick-work partially thrown down. A child looking out of the attic story had her side frightfully scorched.

13. HYDROPHOBIA.—An inquest was held on the body of Edward Boutle, aged forty-six, who died in the London Hospital. The deceased kept a fox on his premises in Wapping. It was very tame and domesticated, and both the deceased and his children were accustomed to play with it like a dog. About the beginning of May last, the deceased was going to sell it to a gentleman to take  
 but on putting his hand  
 use to take it out, the

animal bit him severely. He would not have surgical advice, and the wound healed in a few days. The fox, however, died in a rabid state on the same day on which it bit the deceased. On the 10th of June, the deceased became very ill, and appeared to be mad. He was taken to the hospital in a hackney-coach; as they went along, he hung his body half out of the coach window, and said he should be suffocated; he complained of great thirst and a great pain in his throat. A medical assistant at the hospital, stated, that when the deceased was brought to the door, he ran wildly through the passage into the garden, and refused to come in at the door again: he requested to be allowed to go in at the window, and a ladder was procured, by which he voluntarily entered the ward through the window. The presentation of liquid to him produced strong convulsions. He could not swallow any thing, was in great terror, and at last could not bear any one to approach him. Witness examined the body after death; there was vascularity, but no inflammation. The Jury found that the deceased had died of hydrophobia occasioned by the bite of a rabid fox.

13. LOSS OF LIFE AT SEA BY CHOLERA.—The ship Brutus, of 384 tons burthen, sailed, on the 18th of May from Liverpool for Quebec. She had on board 330 emigrants, men, women, and children, who with the crew made a total of 349 souls. Previous to sailing, the vessel underwent the usual examination; the crew and passengers were apparently healthy. She carried a surgeon. On the 27th, the ninth day out from Liverpool, a healthy man, about thirty years of age, was seized with malignant



cholera. The usual remedies were used, and he recovered. The next case was that of an old woman, sixty years of age, who died in ten hours after the attack. The ravages of the pestilence then rapidly increased, the deaths being numerous, in proportion to the cases. The greatest number of deaths was twenty-four in one day. The disease began to attack the crew. The captain then saw that to continue his voyage was to risk the lives of himself and the survivors, as well as the property intrusted to his care. Under these circumstances, his vessel, a lazaretto ship, and men, women, and children dying about him, he resolved to put back to Liverpool, on the 3rd of June, and the Brutus reached port on the 13th. Up to that day the cases had been 117, the deaths eighty-one, and the recoveries, thirty-six. Seven cases remained when the vessel entered the Mersey, two of which proved fatal in the course of the day, making the total number of deaths eighty-three. Among the sufferers were four of the crew. The survivors were, immediately on their arrival at Liverpool, put on board the Newcastle, lazaretto ship. The passengers had found themselves with provisions. Their stock, however, though the vessel had been only twenty-six days at sea, was nearly exhausted,—a circumstance which would go to prove that the passengers must, in the early part of the voyage, have stinted themselves in order that the stock, which is never superabundant on board of emigrant ships, might last them till their arrival at Quebec. How far this want of proper sustenance, supposing it to have taken place, may have tended to increase the ravages of the cholera, is worthy of

consideration. So short had the provisions become, that a fresh supply was required immediately on the arrival of the vessel at Liverpool. The laudanum, too, was exhausted; so limited had been the quantity originally provided, or so great the quantity actually administered to the patients.

15. REFORM FESTIVAL AT LEEDS.—The passing of the reform bill was celebrated at Leeds on the 15th of June by a public dinner. For this entertainment all the available space in that vast pile of building, the Coloured Cloth-hall, was set apart, having been granted for that purpose by the trustees. The upper room of that building, which is of dimensions sufficient to dine many hundred persons, was laid with tables through its whole extent; and, in order that a much greater number of the inhabitants might join in the festivity, it was determined to lay tables in the whole of the area of the Cloth-hall, so as to accommodate upwards of 2,000 persons. The dinner consisted of true old English fare, namely, roast beef, plum-pudding, and good ale or porter. The dinner was exactly the same in the upper room as in the area, though the price in the former was 3s., and in the latter only 2s. The unsettled state of the weather suggested the propriety of covering the tables in the area with a canvass awning, which was accordingly done. About 700 tickets were taken for the upper room of the hall, and 2,100 for the area; a considerably larger number of the latter kind might have been sold, but the sale was necessarily limited to what the space would accommodate. The principal manufacturers, machine-makers, and dyers, of the finding that their men were

ous of partaking in the celebration, presented them with tickets. As it was impossible that the inn-keepers who provided the dinner should find the requisite number of knives and forks, plates, &c. for so great a multitude, each steward provided these things for his own party, consisting of twelve persons. In order to obtain an entrance to the upper room of the hall, a window was taken out on the north side of the building, through which the company passed: the admission to the area was through the gates. The morning was ushered in with the firing of cannon, and the ringing of the parish-church bells. Orange flags floated from many a house top, from the high chimnies of factories, and on vessels in the river. At twelve o'clock the shops in the town were closed, as had previously been announced by the shopkeepers, in order that the young men might enjoy the holiday and festivity.

18. **ATTACK ON THE DUKE OF WELLINGTON.** — The Duke of Wellington having occasion to pay a visit to the mint, a crowd of persons collected on Tower-hill to wait his return: On making his appearance at the gate, he was loudly hissed and hooted by the crowd, which at this time consisted of several hundred individuals. He rode along the Minories, followed by the crowd, which was every moment increasing, and which continued to yell and hoot, and bawl out abusive epithets. About half way up the Minories he was met by Mr. Ballantine, one of the Thames police magistrates, who asked him, if he could render him any assistance? His grace replied in the negative, saying that he did not mind what was going on. Nothing particular occurred, until his grace

had reached about the middle of Fenchurch-street, when a man rushed forward from the crowd, and catching hold of the reins of the horse's bridle with one hand, endeavoured to dismount his rider with the other, and would have succeeded, had it not been for the spirited conduct of the groom, and a body of the city police, who came up at the time. The mob at this time was very great; but, by the exertions of the police, his grace was escorted through it, and along Cheapside, without any personal injury. In Holborn, however, the mob, not satisfied with words, began to use stones and filth. The duke then rode to the chambers of Sir Charles Wetherell, in Stone-buildings, Lincoln's Inn, the mob still following. He remained there till a body of police arrived from Bow-street, by whom he was escorted home. The day on which this assault was made, was the anniversary of the battle of Waterloo, and the cause of it was, that his grace entertained, in regard to the reform bill, a different opinion from the rabble of London.

19. **ASSAULT ON THE KING.** — Their Majesties having attended Ascot races, while the King was looking out of the window of the stand, two stones were thrown from the midst of the crowd below, one of which struck his Majesty severely on the forehead—but the hat saved him from any injury. The King forthwith presented himself again at the window, and was received with the loudest cheers. The offender, a man of the name of Collins, was immediately seized by the persons near him. He had the appearance of a common beggar, and had a wooden leg. He stated himself to be in connexion with no one; that he was a discharged

Greenwich pensioner, and having sent a petition to his Majesty, to which no attention had been paid, he had made up his mind to have a shy at the King, and had put three stones into his pocket for the first opportunity. On his examination before the magistrates, he gave the following account of himself, and of the reason of his offence:—"I own that I committed a great fault in throwing the stones at the King. On the 16th of December last I had been an in-pensioner in Greenwich Hospital. The ward-keeper was sweeping the ward up, and I told him that he had no right to do that more than once a day. He complained to Sir R. Keats, the governor of the hospital, and I was expelled for life. I petitioned the Lords of the Admiralty to have the pension which I enjoyed before I entered the hospital restored to me. I have a right to it by an act passed in George IV.'s reign, which declares, that seamen shall have the same pensions on leaving the hospital which they had before going into it, unless they are expelled for striking the officers, or for felony, and I have done nothing of that kind. On the 19th of last April I petitioned the King to have my pension restored. He sent an answer to the Lords of the Admiralty. Mr. Barrow, the secretary, sent it to me at the Admiral Duncan public-house, near the Admiralty. The answer was, that the King would do nothing for me. It was partly written and partly printed. I was very much distressed—for three days and nights this month I never broke my fast. I can take my oath of that. The King never did me an injury. I am sorry for the fault I have committed, and I must suffer for it. Distress compelled me,

or I would never have done the like of it. I went to Admiral Rowley's t'other day, to ask for a bit of victuals, and he kicked my ——. What is done can't be undone. I must suffer the law. Sir R. Keats has broken the law as well as myself, for he had no right to take my pension from me. He is the only man who is allowed arbitrary power in Great Britain." There was more craft than truth in this autobiography. He had served only two years and eight months in the navy, when he met with an accident in stowing the booms on board his Majesty's ship *Atalanta*, which rendered amputation of the left leg necessary. He was invalided on a pension of 10*l.*, and, on the 1st of February, 1800, received as in-pensioner of Greenwich hospital, where he continued four years, and was then discharged to the out-pension. At this time he went out to Halifax, where he was received into the King's service, and obtained a cook's warrant, which he soon afterwards lost for misconduct; and in 1810 he was again admitted to Greenwich hospital. His conduct at this time was so bad, that, after repeated trials and petty punishments, he was expelled on the 11th of May, 1811, for disorderly and disgraceful behaviour; but he shortly after succeeded in getting restored to his out-pension, and once more obtained a cook's warrant, which he afterwards forfeited, by striking an officer in one of the dock-yards. After repeated petitions he was, on the 30th of August, 1817, admitted for the third time into Greenwich hospital, and appears to have been more quiet; for, without tracing him on the minucouncil, he was discharged, at his own request, to the out-pension;

on the 18th of June, 1819. On the 7th of July, 1820, he was admitted as in-pensioner, for the fourth time, and on the 4th of May following suspended for one year, in consequence of riotous and disgraceful conduct; and, at the expiration of that period, he failed to return, and was made "run," by which his out-pension became forfeited. He again petitioned, and again succeeded in obtaining his out-pension; and on the 5th of June, 1830, was re-admitted, for the fifth time, into Greenwich hospital—a degree of indulgence and forbearance almost unprecedented, after the flagrant misconduct which stands recorded against him. His violent propensities were not, however, yet conquered, and after several repetitions of riotous conduct, he was finally expelled, on the 16th of December last, for creating a disturbance in his ward, advising the ward-keeper to disobey the orders, and for using violent and improper language. After the examination he was committed to take his trial for high treason.

20. MURDER IN FRANCE.—The following occurrence took place at a village near Villefranche. Jane Desroches, a native of the place, where she lived with her mother, was married about the 10th of June, and removed with her husband to a town at some short distance; she set out on the 20th from her home, and first stopped at the house of her sister, in a hamlet on her way, and, finding that she and her husband were already gone to work in the fields, murdered their infant, left in a cradle, by cutting its throat with a knife. She next proceeded to her mother's at Pouilly, whom she murdered by a blow with a pick-axe. She immediately afterwards entered

the dwelling of a female neighbour, whom she stabbed in the throat, and threw down a flight of stairs, but the wounds were not mortal. The infuriated woman then entered another house, cut the throat of a child between seven and eight years old, who was in bed, and gave several slight wounds to the mother, who came in on hearing the screams of her child. Here the progress of the carnage was stopped by the arrest of the criminal.

26. DEATH FROM STARVATION. An inquisition was held in Aldgate workhouse, Houndsditch, on view of the body of John Collis, aged fifty, formerly in good circumstances, who died for want of the common necessities of life.

A watchman belonging to Aldgate ward deposed, that he was on duty on Friday night last, when his attention was attracted to the deceased, who was "crouched" down under the shambles in Butcher-row. He was nearly in a state of nudity, and his emaciated appearance indicated that he was in the most abject state of wretchedness. With considerable difficulty he got him upon his legs, and in reply to questions put to him, he stated his name, and that he belonged to St. George's parish in the East; that he had applied to the overseer to be admitted into the workhouse, but had been refused. Witness asked him why he did not, in that case, apply to the magistrates of Lambeth-street upon the subject, when he answered, that he considered the magistrates of that establishment quite as bad as the parish officers to whom he had already applied in vain. He made no further remark, but managed to crawl away. On the following Sunday night he

again met the same individual crawling about at the same spot: he then told him that he had again applied at the workhouse to which he belonged, and in a few days he expected to be admitted, but he was refused immediate admission. While witness was talking to him, he sank down under a butcher's block from weakness and exhaustion, and remained insensible. He was then carried to the station-house, where he was attended by Mr. Davis, of the Minories, who, after administering a cordial draught, advised his removal to the poor-house, which was complied with. Inquiry had been made of the overseers of the parish alluded to, relative to the application of the deceased for admission into the poor-house, but none of them recollected the circumstance, or knew anything of the deceased. A person, in whose house the deceased had formerly lodged, said he was a single man, respectably connected, and lived like a gentleman upon his property until lately, when he became much reduced, being of extravagant habits, but she understood he had considerable property yet undecided in the Court of Chancery. He gave up his lodgings about six months ago, and she had not since seen him. He enjoyed very good health, and was stout and well at that time. A friend deposed, that the deceased called at his house on Wednesday evening last. He had not seen him before for some time, and was so struck at his altered and emaciated appearance, that he did not recognize him, and was about to order him out of the house. As soon as he was satisfied with his identity, being convinced of his starving and needy condition, he invited him to eat and drink, but he was so far gone that he was

unable to do either. Before he went away he told witness, that he had the same day applied to St. George's parish for admittance, but had been refused. The deceased was a bashful man, and possessed too high a spirit to ask a favour from any of his friends, or he might have been relieved. A surgeon deposed, that he examined the deceased at the station-house, and found his pulse so feeble as to be scarcely perceptible; he was covered with vermin, and altogether in a most deplorable condition, and was evidently sinking for want of common necessities. Having administered some cordials, he was removed to the workhouse, where the most nourishing things were offered him in vain: it was then too late, and he died in the course of the day from absolute starvation.

A verdict that the deceased died from starvation was accordingly returned.

28. STEAM NAVIGATION. — Daniel Hallsey and John Rule, masters of the Essex and Rose Gravesend steam-vessels, appeared before the sitting magistrates at the Thames Police-office, charged under the 42d section of the by-laws of the Waterman's Company, of which they are free, with having illegally navigated their vessels at a greater rate or speed than five miles an hour, between London-bridge and the eastern limits of Limehouse-reach, by which they had incurred penalties of 5*l.* each.

The case against Mr. Hallsey, of the Essex, was first heard.

Mr. John Oliver stated, that on Sunday evening he was returning from Greenwich, along with his son and another gentleman a wherry, and on arriving in Limehouse-reach, right abreast of

house church, he saw the Essex and Rose coming up the river at a most rapid and dangerous rate, causing such a heavy swell that the boats and small craft were tossed about, and the Thames appeared like a rough sea. He was right before the steamers, and observing there was great danger of being run down, he called out loudly for the steamers to slacken their pace. No notice was taken; they bore rapidly on, and but for the most strenuous and skilful exertions of the waterman, all in the wherry must have been drowned. The water rose to the height of more than three feet, and the spray splashed over and wetted him. He should say the steamers were going at the rate of from twelve to fifteen miles an hour, and, instead of keeping in the middle of the stream, as was usually adopted, the Essex approached close to the shore within six feet of the wherry. The two vessels appeared to be racing, and the Rose was evidently trying to get by the Essex, by driving her ashore. He was close to the Surrey shore when this happened. In fact, had not the waterman pulled close to the bank, nothing could have saved them.

Mr. Edward Morgan confirmed Mr. Oliver's statement. The steamers, in his opinion, were going at the rate of twelve miles. The waterman said the speed was fifteen.

The agent to the Gravesend Steam Packet Company asked the witnesses how they judged of the speed, and if they could swear the Essex was going faster than five miles an hour. Mr. Oliver said, he could judge by the manner in which the steamers passed him, that their speed was ten miles an hour though if he were to say

twelve, he should be nearer the mark.

Mr. Hallsey, in defence, said he could not speak to the exact speed of his steamer at the time; but he always decreased her rate, on entering the Pool, and if he saw a boat with passengers in it, he always slackened her pace still farther. The best of her going was not much more than eleven knots an hour. The engineer said, the full power of the wheels was thirty-one revolutions per minute; but he eased them to twenty-seven on reaching Limehouse-hole, on Sunday evening. He was on deck when the Essex passed Limehouse church, and he could not exactly tell what her speed was, but she was kept at twenty-seven revolutions until the vessel arrived at her moorings at London-bridge. The speed of the vessel, at thirty-one revolutions per minute, was eleven miles an hour.

Mr. Ballantine said, that according to this statement, the vessel was proceeding at the rate of more than eight miles an hour, which was illegal. Mr. Hallsey said it was impossible to know exactly at what rate they go.

Mr. Ballantine.—Then you must know.

Mr. Hallsey said, the Essex and Rose were certainly opposition vessels, but were merely coming up the river together by accident at the time. It was broad water in Limehouse-reach, and no boat could be in any danger there, however great the speed of a steamer.

Captain Richbell said, he knew better, and that it was highly dangerous to keep so close in shore at a great speed. It was enough to stave all the small boats.

Mr. Ballantine, after consulting with his colleague, addressed the



defendant as follows :—" We convict you in the full penalty of 5*l.* and costs, for navigating your vessel at a greater rate or speed than five miles an hour, between London-bridge and the eastern limits of Limehouse-reach ; but as I know you cannot do this without endangering people's lives, and as the masters of vessels are bound, in navigating them, not to put persons in fear, which you have done, I call upon you to enter into sureties in the sum of 100*l.* to keep the peace, and be of good behaviour for the next twelve months, and if there is any excess in the speed of your steam-vessel, I shall take care that the recognizances are returned, in which case the money will be forfeited."

The case against Mr. John Rule, master of the *Rose*, was then gone into, and supported by the same evidence, and attended with a similar result.

### JULY.

**A NOVELTY IN POSTING.**—Mr. Babbage, in his work on the Economy of Manufactures, suggests a new plan of conveying the mail. The immense revenue of the post-office would afford means of speedier conveyance ; the letter-bags do not ordinarily weigh a hundred pounds, and are yet conveyed in bulky machines of many thousand times the weight, drawn by four horses, and delayed by passengers. Mr. Babbage proposes the erection of pillars along each line of road ; these pillars are to be connected by inclined wires, or iron rods, along which the letters, inclosed in cylinders attached to the rods by rings, are to slide ; persons stationed on these columns are to

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forward the cylinders from each point, after having extracted the contents belonging to their own station. In this manner it is calculated that a letter might be sent (from pillar to post), to the farthest limits of the land in the course of a very small portion of time ; from London to York, probably, in an hour or two. In the absence of pillars, and in the interior districts, it is suggested that church steeples, properly selected, might answer the purpose ; and in London the churches might be used for the circulation of the two-penny post.

**4. HYDROPHOBIA.**—An inquisition was held on the body of Mary Ann Ferguson, aged 14, one of the children belonging to the Gore-lane Charity-school, at Kensington.—Eliza Tott, a little girl belonging to the same school, stated that, on last Whit Tuesday, in the afternoon, she was standing with the deceased at the door of the school-house, when an old woman, with a red-coloured dog, came up and begged. The deceased put her hand on the dog to pat him, when the animal flew at her, and bit her severely on the arm ; in pulling the dog from her she tore the flesh very much. The schoolmistress washed the wound with warm water, and sent the deceased to Mr. Wright, the parish surgeon. He dressed the wound, and told her to come again the next morning. She went with the deceased the second day, when he dressed it again, and said it was doing well. After having it dressed several mornings, Mr. Wright gave her some plaster, and told her that her mistress would be able to dress it in future, and in a few days it was quite healed.

Mrs. Foxhall, the schoolmistress  
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after giving similar testimony as to the healing of the deceased's arm, stated that, six days ago, the deceased complained to her of a violent head-ache. On the following day she gave her some salts, and she appeared better on the Saturday. On the next day the deceased came to her bed-room and said, that she had been ill all night and had had no sleep, and wished to sit in her room which she consented to. On the Monday she became worse, and was quite delirious. Every thing she could get hold of she threw about the room, and begged that the other children in the school might be kept out of her sight, as she could not bear to look at them. The witness immediately sent for a surgeon.

Mr. Badgely stated, that he first saw the deceased about 10 o'clock on Monday night. She was then labouring under all the symptoms of hydrophobia. He remained with her until 1 o'clock in the morning; she was extremely violent, and he sent for a nurse from the workhouse to attend upon her. About 10 o'clock the following morning she was conveyed to the workhouse, and witness attended her, and did every thing in his power. The trustees were at that moment sitting at the workhouse, and they immediately gave directions to request the aid of all the medical men in Kensington; about 12 o'clock about fifteen surgeons had seen her, but they gave no hopes of her recovery. The deceased continued in the most frightful agony until 1 o'clock in the afternoon, when she expired. She died of hydrophobia.

The jury, after a short consultation, returned a verdict "That the deceased died from hydrophobia, caused by the bite of a dog."

6. LIFE INSURANCE.—KING'S BENCH, GUILDHALL.—*Kinnear v. Borradaile and others*.—This was an action brought by the executrix of the late Mr. Thomas Kinnear, of the firm of Kinnear and Co. bankers, against the directors of the Rock Insurance Company on a policy of insurance for 2,000*l.* on the life of Mr. Thomas Kinnear. The defendants had pleaded that they were not liable, as the deceased had committed suicide. The case appeared in evidence as follows:—

Robert Logan, one of the partners of Kinnear and Company.—The deceased took an active part in the business, and attended in the bankinghouse almost daily. His house was in the Regent's Park, but as it was not completely finished, his family were at Brighton. He had been in the habit of going down to Brighton on Saturday, and returning on Monday, but had not done so lately. He had taken a loan of 9,000*l.* from the firm, and was debtor to that amount. The house had some transactions, but not very large, in the foreign funds. By order of some of our correspondents we had applied their money in purchasing foreign stock. We had lent money belonging to Sir Matthew W. Ridley and Co. on various securities, and were answerable for it whether the securities rose or fell. I cannot tell, within 100,000*l.*, the amount of foreign securities held by us at the time of Mr. Kinnear's death. Mr. Kinnear brought a considerable capital into the business. His estate is not debtor to the house. About 9,000*l.* of the money belonging to Ridley and Co. had been lent to him, which was secured by 10,000*l.* of French 4 per cents. Mr. Kinnear had been

expecting, shortly before his death, French certificates to be returned by the house of Messrs. Rothchild. After his death, I found among Ridley and Co's. securities, the following letter, dated 19th October, 1830, the day before his death, addressed to Mr. Rothschild: "The French certificates are the property of Sir M. W. Ridley and Co., to whom, or to some person on their behalf, deliver them in my absence." I saw Mr. Kinnear at the counting-house, between five and six o'clock on the evening before his death. He was then doing business as usual, and in his usual health and spirits. His age was between 35 and 40; he was a man of regular habits, and was not, to my knowledge, subject to any complaint. The day before his death, he told me he had been summoned to attend on a special jury on the following day, and might not therefore be able to come to the counting-house. The money which we had of Ridley and Co. has been repaid. There had been no considerable fluctuation in the French funds recently before the 19th of October, 1830, but they had been much higher before the revolution, in July of that year, the five per cents having then been 108. They have not reached 100 since. We paid Ridley and Co. a fixed interest for the money we had of them, and the rate of it was regulated by the English market. We advised them of the securities, which we changed from time to time at our discretion.

Thomas Thompson, servant with Mr. Kinnear at the time of his death.—The family were at Brighton while the house was finishing, but Mr. Kinnear slept in it. He did not generally dine at home. He was very regular in his habits, and

was apparently in good health. On the 19th of October, he told me he would perhaps come home, and take some dinner. He came home a few minutes before 9 o'clock in the evening. On seeing the dinner things prepared, he told me I might take them away, and asked for a biscuit. There was nearly half a bottle of wine on the table. I left him sitting in the library. He told me, I need not call him in the morning, he would ring if he wanted me. About twelve o'clock I awoke, and thought I heard a footstep up stairs. I rose, and saw Mr. Kinnear coming out of the dining-room, and going up stairs. He had nothing on but his shirt, and no light. He asked me how I came to be out so late. I answered, I had not been out, but had thought I heard a noise. He said I might come up and see. I followed him up stairs. He was in bed before I got to the room. I asked, are you asleep, Sir? He gave no answer. I then went to the dining-room, and saw the shutters open, but I don't think I had closed them. The window was up about a foot. I had thought while I was asleep, that I heard the bar fall. I went up to the drawing-room and library, to see if I had closed the shutters there. As I came out of the drawing-room, Mr. Kinnear opened his door. I asked him if I should fetch a light; he said, "you may give me yours, if you please." He was then in his shirt. There was nothing particular in his appearance. I went down, and heard him go up stairs. In about ten minutes I went up stairs again, I found Mr. Kinnear's door fastened, and the light put out. Next morning his bell rung at twenty-five minutes past nine. I to

hot water which I set down by the bed-room door, knocking at the door ; I went up again about ten ; the water was still at the door. I had heard no groaning or hard breathing. I was not informed that there had been any groaning. I was not taken into the drawing-room by some of the workmen, who thought they heard a groaning. I fetched Mr. Trotter, who knocked at the bed-room. There was no answer, and he could not get in, as the door was fastened on the inside. One of the workmen then got a ladder, which he put up to the window. He came down and said he could see nothing. I then went up the ladder, got into the room, opened the door, and let Mr. Trotter in. I went to the bed, and saw Mr. Kinnear, whose face was very white. There was nothing coming from his mouth, and no stain on his pillow. He looked exactly like a corpse. I went for a medical man, Mr. Lovegrove. I came back about half-past one, and went into the bed-room. When I was dusting the library in the morning, I found a piece of red paper, the cover of a phial, lying on the library table, and there was a piece of blue paper also—a square piece of paper. It had the appearance of having had something in it.

Cross-examined.—I lived with Mr. Kinnear, when he was at Walthamstow. He was a married man with eight children. The youngest was a baby four or five months old. Mr. Kinnear was a domestic man, and very much attached to his wife and children. He appeared to be a very religious man. He went to church regularly, and had family worship in his house. He had taken the house in Cornwall-terrace the summer of 1830. He

was making considerable improvements in it. He attended personally to what was going on, and appeared to take great interest in the work. Mr. Kinnear was a kind master, but reserved with his servants. On the Monday and Tuesday mornings, instead of taking tea and meat as usual for his breakfast, he took only bread and milk. He had done so before sometimes when he was unwell. It was usual for him to have wine or ale in his bed-room. There is a water-closet upon the ground floor; but Mr. Kinnear could not get in, as the painter had locked the door on the inside. From the noise I heard on the Tuesday night I thought that Mr. Kinnear had made an attempt to go into the water-closet. When I saw him going up stairs, I observed nothing unusual in his manner. He appeared quite collected. There is a water-closet on the second floor. I heard Mr. Kinnear go up stairs, and I thought I heard a door shut. I believe he went to the water-closet on the second floor. There was nothing in what I saw or heard that gave me the smallest suspicion or fear.

Nathaniel Bates.—In October, 1830, I worked as a painter at Mr. Kinnear's house, in Cornwall-terrace. On the morning of Wednesday, the 20th of October, about ten o'clock, one of the carpenters came down stairs and spoke to me. In consequence of what he said I went up stairs to Mr. Kinnear's bed-room door. I saw his boots and some water there. I went there again before twelve o'clock. I then listened at the door. I had seen Thompson before that time. I looked through the spindle and saw Mr. Kinnear, who appeared to be breathing rather high. A

proposal was made to Thompson to open the door. Thompson objected on the ground that his master had told him on the night before not to come up till he rang the bell. I did not hear Mr. Kinnear's bell ring. I heard groaning in the bed-room about a quarter to one. That was before Thompson went to Mr. Trotter. I and other workmen were listening. There was a dark mark on the cheek. There was a bottle on the table, with a wine glass and tumbler.

James Laser.—I was employed as a painter in Mr. Kinnear's house, on Wednesday, the 20th of October. I was working in the room below the bed-room. We used generally to see Mr. Kinnear about seven or half-past seven. On the Wednesday, between eleven and twelve o'clock, my attention was called to the extraordinary circumstance of Mr. Kinnear not being up at that time. I and another workman went up stairs, and listened at the bed-room door, and heard some very heavy groans. We proposed to Thompson to go into the bed-room, but he objected, saying his master had been poorly the night before, and had desired him not to go to him until he rang the bell. I did not hear any bell ring. I afterwards looked through the spindle of the door, and saw Mr. Kinnear heaving very violently, I said to Thompson, "Good God open the door, or I'll call the first person I can, and have it broken open." When we got into the room Mr. Kinnear's right hand had just slipped off the pillow. His left hand was on his breast, on which there were some dark spots, as if pressed by his fingers. When Mr. Lovegrove came, he took up the tumbler in the room, put his finger to it, and tasted it. He was

then asked a question. He made no answer, but shook his head. Mr. Lovegrove then ordered us all out of the room. Mr. Trotter told us that we had better leave the premises, and he would take care that we should be paid.

Mr. Hubert.—I am senior clerk in the Rock office. Some person called at the office to know what was necessary to be done to substantiate the claim. When a loss is applied for, the office requires to know something about the manner of the death. I gave the usual information. A certificate of Mr. Kinnear's burial was afterwards brought to the office, and a reference was given to Mr. Morgan, a medical man, residing at Walthamstow. Application was afterwards made to know whether the information received from Mr. Morgan was satisfactory. I told the person Mr. Morgan had mentioned the inquest, and that the office would require a copy of the depositions. A copy was afterwards furnished. A clerk of the plaintiff's attorney called at the office afterwards to ascertain the time of payment.

Cross-examined.—That was in April, 1831. The directors had some time previously ordered the policy to be registered for payment on the 14th of April.

Mr. William Lovegrove, apothecary in Baker-street.—I was called in on Wednesday, the 20th of October. I found the body on the bed lying on the right side. Life was extinct. The countenance was pale. The extremities were cold. There was no particular appearance on the lips. There was a small discharge of saliva. There were no marks of perspiration. There was a decanter, a tumbler, and two wine-glasses in the room

Kinnear's body. I have known several deaths by rupture of the blood vessels in the stomach. If the rupture of a blood vessel happens to a man in good health, it certainly will not produce death unless it be in very large quantities. I believe it would produce vomiting. The rupture of a blood-vessel in the stomach would not be consistent with turgidity of the brain. As far as my judgment goes, I should say Mr. Kinnear's death had not been produced by the rupture of a blood vessel in the stomach. Blood and serum in the cavities of the chest would not, in such a case, be produced either immediately after or at the moment of death. Laudanum rarely produces vomiting. It has a tendency to check it. Laudanum produces death, in general, from three to fourteen or sixteen hours. It frequently happens that large quantities of laudanum are taken, and no vestige of it is found after death, by smell, or otherwise. The state immediately preceding death by persons taking laudanum, is that of lethargy, sometimes heaviness of breathing, and difficulty of respiration. After death it produces a somewhat livid appearance. Before death the face is sometimes a little swoln, and the lips dark. Difficulty of respiration may produce serum in the chest. I have been inclined to suspect that Mr. Kinnear's death was produced by some poisonous agency—narcotic poison.

Cross-examined.—It would have been proper to have opened the lungs and the heart. That might possibly have thrown more light on the cause of death. I can't conceive it possible that there should have been a disease of the heart which would have produced

death without the patient's complaining of it. Generally speaking, laudanum retains its smell for some time. I never saw or heard of a case of death by laudanum, where there was so great an effusion of blood in the stomach, as has been described in this case. Prussic acid taken in small quantities retains a very strong smell.

Mr. Joseph Henry Green, one of the surgeons at St. Bartholomew's hospital, and a professor of surgery at King's College;—having heard the evidence of the several witnesses in this case, I don't think that any strong or positive opinion can be given, but it is most consistent with my belief that Mr. Kinnear died from narcotic poison. I am not convinced that the fluid which was found in the stomach was blood; but if it were, I do not think that the appearances would have been such as have been described, nor that the circumstances before death would have been such as have been stated, had the cause of death been the rupture of a blood-vessel in the stomach; but with regard to the expression "rupture of a blood-vessel in the stomach," I rather object to it, for in all the cases that I have known, where there has been an effusion of blood in the stomach, there has been no rupture of a blood-vessel. The serum in the chest could have had nothing to do with the blood in the stomach; but it is, I believe, consistent with the supposition of death by laudanum.

Mr. Alfred Taylor, lecturer on medical jurisprudence in Guy's hospital.—I do not think that Mr. Kinnear's death was produced by any rupture of a blood-vessel in the stomach. I should infer from the circumstances of the death



that some narcotic poison had been the cause of the death. There is sometimes no power of detecting the presence of laudanum.

Cross-examined. — I have not known cases of death by laudanum where there has been any blood in the stomach, but I do not consider that the fact of blood in the stomach militates against the supposition of death by laudanum. I never saw a case of death by rupture of a blood-vessel in the stomach. I consider the blood in the stomach to proceed from the exudation of the minute vessels.

Re-examined. — If I had examined the body, I should have gone much further than Mr. Lovegrove. There are certain tests for the discovery of the presence of laudanum, and it is, I believe, usual, and certainly it is proper, for those who examine bodies where death is supposed to have been caused by poison, to employ those tests. In answer to a question by lord Tenterden, the witness stated, that the effusion of blood from the vessels would stop instantly upon death.

Mr. Wetenhall, a stock-broker, presented a printed list of the prices of stocks in the year 1830, and spoke to the fact of the fall in the French funds in that year, and the fluctuation in the month of October.

The Jury, without requiring the Judge to sum up, immediately found a verdict for the plaintiff.

11. CELEBRATION OF REFORM. — A civic festival was given at Guildhall to the ministers and the leading members of the two Houses of Parliament, in commemoration of the passing of the reform bill. From four to five o'clock there was a continual arrival at the Guildhall of members of his Ma-

jesty's government, and of the two Houses of Parliament. The majority which carried the reform bill in both houses was present, including the duke of Sussex. Shortly afterwards earl Grey and lord Althorpe were ushered into the council chamber, and were accommodated with chairs on the platform. After some routine business had been transacted, the chamberlain read the resolutions, by which the freedom of the city was granted to earl Grey and lord Althorpe. When this ceremony was accomplished, and their lordships had taken the oaths of freemen, the company proceeded from the common council chamber, to the hall, where the banquet was prepared. The great eastern window was blocked up, and covered with a black shade, on which the word, "Reform," a crown, and "W. R.," were lighted with gas. Underneath, flags and weapons of various descriptions were grouped together. Below this collection of banners a range of mirrors were placed reflecting the whole length of tables in the hall, and the various busts and monuments. At the opposite end of the hall, in the window between the statues of Gog and Magog, a cap of maintenance, with the sceptre and sword crossed, were also illuminated with gas. Below them was a transparency of the star of the Order of the Garter. The various compartments of the hall were also defined by gas-lights, which reached, in long succession, from the floor to the vaulting of the hall. At stated distances from each other were placed banners, and images of men in armour.

13. COMMEMORATION OF SIR T. GRESHAM. — This revived ceremony took place at the church of

St. Helen, Bishopsgate, of which sir Thomas was a parishioner. The musical part of the service was performed by Messrs. Vaughan, Hawes, Hawkins, Atkins, Goulden, &c., and some of the young gentlemen of the choir of St. Paul's. Messrs. Attwood, Novello, and Horsley, in turns, played the organ. Before the service, Mr. Attwood's new coronation anthem, "O Lord grant the king a long life," was sung by Messrs. Goulden, Vaughan, and Hawes. The service was chaunted and sung in the cathedral style. The *Te Deum* and *Jubilate* were composed by Mr. C. Hart, to whom had been awarded the Gresham prize of five guineas for the *Jubilate*. The anthem before the sermon was Dr. Boyce's. "If we believe that Jesus died," and was performed by Messrs. Hawkins and Atkins. The sermon was preached by the Rev. W. Multon Blencowe, M.A., who expatiated on the liberality and virtues of sir Thomas Gresham, and held out to the merchants and citizens of London the advantages of imitating him. After the sermon, Mr. Horsley's scientific quartetto, "I heard a voice from heaven," was performed: to which succeeded the semi-chorus from the funeral anthem of Handel, composed for Queen Caroline, the wife of George II., "Her (his) body is buried in peace," concluding with the chorus, "But his name liveth evermore."

20. PORTSMOUTH.—A person has obtained the sanction of the Admiralty to descend, by means of air-pipes, to the wreck of the *Boyne*, of 98 guns, which caught fire by accident at Spithead, on the 1st of May, 1795, drifted from her moorings, and finally blew up opposite Southsea castle. At low

water the wreck is approached at about two or three fathoms. A ladder of sufficient length reaches the wreck from a vessel moored over. The person descends, his head enveloped in a large leathern mask, with glass eyelets, protected by small brass bars, his body covered with an Indian rubber dress, leaving his hands perfectly free, as also his legs and feet. By this means he traverses the wreck, and has been enabled to suspend a few twenty-four pounders, which were hoisted into the vessel above. He discovered what was supposed was the captain's wine-store. He first brought up one bottle, then two; he then took down a basket, which he filled, and finally brought up twenty-one bottles — claret and port, which had been immersed in salt water for the last thirty-seven years. He refused on the deck of the vessel 20s. a bottle for it. His agreement with government was, to have all he causes to be brought up, except the copper, which was to be deposited in the dock-yard, and for which he was to be allowed the usual salvage. The bottles were covered with immense barnacles.

25. ROBBERY. — CAMBRIDGE. — John Nunn, Simeon Nunn, and Ephraim Litchfield, were capitally indicted for assaulting Henry Thurnall, Esq., jun. on the highway, and stealing various monies, a watch, &c.

The prosecutor, an articled clerk to attornies of Royston, was in the habit of spending Sunday with his father and family, and usually rode over from Royston in his gig. On the 2nd of June last, he left Royston about eleven o'clock at night in his gig for that purpose. Within a mile of his home, two men sprung from the roadside and

seized his horse's head. One of them then got upon the step of the gig and demanded "all he had got," at the same time that a third man gave him a blow from behind, which completely stunned him. He remained in a state of unconsciousness for some time, and on recovering his senses found himself lying on the side of the road, and the three men kneeling on various parts of his person. They were rifling his pockets, but by a powerful effort he raised himself to his feet, and putting his hand into his side pocket as if for the purpose of drawing from it a pistol, declared he would shoot one of them if they did not stand off. For a moment this was successful, but observing that he had in fact no pistol, they soon returned, and he was again struck down, and severely beaten on the head and face with their bludgeons, Simeon Nunn crying out, "D—n him, kill him." They soon after this raised him to his feet, when he was from loss of blood nearly unable to stand, and held him up, turning his pockets inside out, and taking from him all his money and a pencil-case. They at last discovered a watch, which had hitherto escaped detection, which they instantly seized, but Mr. Thurnall made a determined resistance to their keeping it, as it was protected by a hair chain, which seemed to be an object of great solicitude to him. Having disengaged the chain from the watch, he suffered them to take the latter, when they all ran off, leaving him in a deplorable state of suffering and exhaustion. After some time, he managed to get to his father's house, and after his wounds were dressed, he and his father armed themselves and proceeded to a plantation near

the house, by which they conjectured the prisoners (whom young Mr. Thurnall knew, they being neighbours of his father, and having at various times been in his employ) must return home. After waiting for some time they saw the three prisoners returning over the fields, two of them having a sack each on their shoulders, and the third three large bludgeons. After some parley, they threw down their sacks, and ran away. These sacks contained each a lamb, flayed, but still warm, which they had stolen from the fold of a farmer of Triplow, the adjoining village. Litchfield was taken two or three hours afterwards, but he had then changed his clothes, his former ones were, however, found in his house, wet and dirty. On the same morning, about five o'clock, the Messrs. Thurnalls went in quest of the other two prisoners, and the prosecutor met them coming towards Whittlesford, from a village called Shelford. He was on horseback, and passed them without speaking, in order that he might excite no suspicion in their minds; but returning presently, they both ran off as quickly as possible, and hid themselves in a barn hard by, whence they were speedily dislodged. They also had changed their clothes, but in the pocket of John Nunn the cap, which he wore at the time the robbery was committed, was found; and, on searching his house, a bundle containing his trowsers, wet and miry, was discovered. In the pocket of Simeon Nunn his wet stockings were found, and some halfpence. Mr. Thurnall had been robbed, amongst other things, of some halfpence. On the person of John Nunn was found the pencil-case of which they had

robbed Mr. Thurnall; and on Litchfield were also found some half-crowns and other silver which the prosecutor had likewise lost.

The Jury found all the prisoners *Guilty*. The Judge immediately passed on Litchfield and the elder Nunn sentence of death, giving them no hope of mercy. The other prisoner, on account of his youth (he was only eighteen), and other extenuating circumstances, was sentenced to transportation for life.

25. ARSON. — SALISBURY. — Joseph Buxton was indicted for having set fire to his dwelling house, situated in the town of Bradford, with the intent to defraud the Salamander Fire Office. The prisoner was a respectable looking man, and had carried on business at Bradford, as a publican, for the last twenty years. Latterly he had experienced several severe losses.

Walter Mizen lodged at the Cross Keys, Bradford, which was kept by the prisoner, in the month of March last. Was in the kitchen on the evening of the fire, with Thomas Shedden and William Doddomy. Witness went to bed a little after ten. He slept on the second floor; Shedden slept in the same room, and Doddomy in an adjoining one. Buxton and his wife slept on the first floor. About an hour after he had been in bed he heard Buxton come up stairs and go into his room. A short time afterwards prisoner called out to witnesses Shedden and Doddomy to get up, or they would be burned to death, as the place was all on fire. They did get up, and went down into the prisoner's room, where they found the bed clothes and furniture on fire, which, after some time, they put

out. The bedstead had also caught fire, which they extinguished. When they left the room they could not see a blink of fire. They went down stairs, where witness saw Mrs. Buxton, who appeared as if she had not been to bed; she appeared a great deal frightened, and said she would not stay in the house, and left it to go to her mother's. Witness, the prisoner, and two other men went into the parlour, where they had some beer; after which they went up stairs again, but could see no signs of fire. They then returned to the parlour. About two hours afterwards the prisoner went up stairs, and upon his coming down said that the fire had broken out in another room. They went up stairs, and with the assistance of the prisoner put out that fire, and then returned again to the parlour, where they had some more beer. Some time after that they were informed that the fire had appeared in a room on the second floor, which they also went up and extinguished. They did not go to bed that night, but remained in the parlour. Between five and six in the morning the prisoner came and told them that the closet adjoining his bed-room was on fire. They again went up stairs, and found the partition-boards and floor of the closet on fire. There were a box and several articles in the closet which were also on fire. The smoke was so great that they could not see a hand before them. Shedden and Doddomy brought the water up stairs, which witness threw on the fire and thereby extinguished it. The house is situated in the public street; witness wished to call for assistance, which prisoner would not allow, saying that they were as well as a hundred.

were empty, except six,, which contained together twenty-five hogsheads. He went into a yard, where he saw the box which was taken out of the closet; it was a great deal burnt in the inside, but not the least on the out. The house was not insured; the furniture was insured for 800*l*.

An auctioneer proved that he had sold the furniture of the prisoner in April last, for less than 200*l*. The Jury found him *Guilty*, and he was sentenced to be executed.

26. MURDER IN IRELAND.—An inquest was held on the body of R. Marum, Esquire, of Aberney, county of Kilkenny, who had been murdered at his own door in broad day light. Dr. Purcell deposed that the deceased's death was caused from gun-shot wounds, from slugs, or small shot, which entered the brain, and fractured all the bones of the orbit of the right eye. The deceased had also a large incised wound on each side of the mouth, apparently inflicted by some sharp instrument. The gun-shot wounds had been inflicted, not by a single ball, but by a number of slugs, they were sufficient to cause death.

Patrick Kelly.—Was in the employment of Mr. Marum; came to the house that morning to get a shaft to a coal-pick, and went into the stable, where a carpenter was working. Mr. Marum was in the stable, next the door, and while witness and the carpenter's apprentice were employed about the pick-shaft, three men approached the door, one of whom called out, "Marum, we have been a long time searching for you," and instantly fired a blunderbuss at Mr. Marum, who fell. Another of the party then struck Mr. Marum

twice on the head with the stock end of a musket, and made a third blow, which struck the wall, and broke the gun. (A musket lock was here handed in. It bore the Tower stamp and was in excellent order. A part of the gun-stock had been on the spot some time after the murder, but the police inquiring for it, it was not forthcoming.) The third man stood within the door, and kept his musket pointed into the house, but did not fire. There were but three men, two of them about thirty years of age, and one older. He never saw any of them before. They were dressed in blue riding-coats, close buttoned to the neck; two of them had black hats, and the other a straw hat.—Patrick Walsh, the carpenter's apprentice, who was present, ran away; does not think the men were three minutes about the place altogether. The moment they went he removed the body, and then ran towards the road, and saw the men going along towards Gowran; saw them re-load the blunderbuss before they reached the road; does not know whether he would know them again. He told the coroner, before the inquest, that he would know one of them in twenty years, but he was not then sworn, and a man will say fifty things when he is not on his oath.—A carman, and Dominick Doyle, a surveyor, also saw the murderers on the road; heard young Walsh the carpenter was wounded in the hand by a slug, when the shot was fired, and that he went to Bagnalstown to get it dressed. He has not heard any one say who the men were; only one shot was fired; does not know what became of the broken gun-stock. The murder took place about ten o'clock that day. These were the only wit-

nesses examined before the Jury, who immediately returned a verdict of wilful murder against persons unknown.

Though four other persons in Mr. Marum's employment were directly in view of the transaction, and not more than a couple of hundred yards distant, neither they, nor others who saw the three armed men cross the country leisurely, took any steps to trace them, or have them arrested. The cause of the murder was said to be that Mr. Marum had refused to pay an exorbitant rate of wages to mowers, and had supplied their place with others from a distance.

28. ARSON.—BURY.—William Stroger and Benjamin Edwards were indicted for setting fire to the barns, stacks, &c., of Adolphus Stanford, Esq., on the 30th of April last. The evidence proved the following circumstances. About midnight of the day mentioned in the indictment, the prosecutor was awakened by his mother alarming him with the news that his premises were again on fire. Twice before, within a period of two years, they had been set on fire. He was at the spot in sufficient time to observe that the fire had commenced at the end of his cart-shed, where some furze faggots, which formed the fence, had been kindled. The fire made rapid progress, and in three or four hours, barns, stables, sheds, stacks, &c., had fallen a sacrifice, nothing being saved except the dwelling-house, which was itself many times on fire, but was extinguished by some of the prosecutor's neighbours. It was proved that the prisoners and some other persons were drinking and smoking at the Crown public-house the greater part of the evening of the fire, and that their

conduct was of a very suspicious character. They went in and out several times, and about half-past eleven o'clock they both left. Stroger returned in a few minutes, and again went out, saying he should "go home to supper." He was absent about a quarter of an hour, and on his return he called for some beer, observing to the landlady, that he had had the best supper he had ever had; and whilst he was speaking, the girl who was bringing the beer saw the fire, and gave the alarm. They all then left, and about two hours afterwards, when Stroger and some other persons were re-assembled at the Crown, the landlady said to him that she wondered he had not seen the fire, as he came in just at the time; to which he replied, that it was so dark, he could not. The conversation then turned on the circumstances of the fire, and on a person present remarking that it was a great pity it had been done, as Stanford was a good sort of a man enough. Stroger answered, that he was one of the biggest rascals on the face of God's earth, and neither man, woman, nor child, in the parish would give him a good word, and the sooner he was out of the parish the better. Many similar expressions of ill-will towards the prosecutor were proved, which were uttered to different persons at different times. It was further shown, that the ostler of the Crown overheard him say to Edwards and two other men, on the evening of the fire, "D—n old Stanford's old limbs; he's a good friend of mine, and before I'll submit to be overcome by a parish, I'll have my throat cut." He almost immediately added, after some inter-  
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quest.—Joseph Hamilton, a potter, in Tumbler's factory, was sitting up taking care of the oven about one o'clock. He heard a cry of "murder" three times on the Newcastle-road. He went into the oven to fetch some boys. He heard a groan three times. There is a pond within twenty yards of the factory. The groans came from the same direction as the cries of murder. He was alarmed, and brought out the boys, and they heard three several groans. The body was found in the pond adjoining the factory.—John Hamilton, potter, dragged the pond, and found the body of the deceased. The pond had two feet of water, and one of mud in it. Deceased's bonnet was torn all to pieces. He did not tear it in dragging it out of the water. He pulled her out the first drag. One of deceased's hands was in her pocket. Her face was downwards.—A surgeon stated that he examined the body, and in his opinion death was caused by drowning. There were no external marks of violence upon any part of it. A constable stated, that he had the prisoner in his custody bringing him to gaol, and prisoner said to him "that he did not know where he left the woman, or what way he got home."

The prisoner handed in a written defence, in which he protested his innocence, and submitted that it was not possible he could have had any object in murdering a poor, forlorn, destitute woman. If robbery had been his object, he could have easily accomplished it without murdering her. On the contrary, he invited her home to his house, and offered her shelter and protection that night. If he had murdered her, it is probable that he would have been in the public

highway? and was it likely that he would throw her body into a pond, where, on the first appearance of daylight, it would be discovered? There were plenty of coal-pits into which he could have thrown the body, without the slightest possibility of detection. He got a very excellent character from several respectable witnesses; but the jury found him *Guilty*.

## AUGUST.

1. MURDER OF A MAGISTRATE.—DURHAM.—William Jobling was charged as a principal in the second degree with feloniously, unlawfully, and maliciously, aiding and abetting one Ralph Armstrong in the murder of Nicholas Fairles, Esq.

John Archer Foster.—I am the viewer at Jarrow-colliery, which is about two miles from South Shields. On Monday, the 11th of June last, about four o'clock in the afternoon, I saw the prisoner, William Jobling. I was on the Shields side of the turnpike, and he came up to me from Turner's public-house. He asked me for some money to drink. I at first refused to give him any. I then saw a man named Ralph Armstrong, who came running towards me from the same public-house: when I saw Armstrong I gave Jobling a shilling. Jobling then let go his hold on my bridle, and went away towards Turner's public-house. I knew Mr. Fairles. He was a magistrate, and he came to my house on account of the disturbances that had taken place in the Jarrow-colliery. The prisoner and Armstrong had worked at the Jarrow-colliery until the 5th of April last, but they then ceased to work.

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Mary Taylor—On the 11th of June last, I was on the turnpike road leading from Jarrow to South Shields. The first thing that attracted my attention was the sight of a pony shaking his head over a wall. There is a turn in the road there. This was about half-past five in the afternoon. I walked on slowly, and after I saw the pony, I heard a cry of murder. Before I came to the turn of the road, I saw a man's feet raised up above the wall. The pony was then loose and coming towards me. After I heard the cry of murder, I ran until I came round the turn. When I got round the turn, I saw three men scuffling upon the ground one over another. I made up to them, and my aunt, who was with me, cried out, "You murdering villains, you have murdered the man. It is time to be off." I did not hear a word from any of the men until I got up to them. I then saw a man lying upon the ground, whom I afterwards understood to be Mr. Fairles. When my aunt cried out, one man was holding Mr. Fairles down, and the other was beating him. When my aunt called out, the man who was striking looked over his shoulder. He gave three more blows, and then both of them ran away towards South Shields. The man who held Mr. Fairles down was dressed in a blue jacket and trousers. The man who was striking had a dark-coloured coat on.

Margaret Hardy, the aunt of the last witness, and one of her companions on the evening in question, was then called, and corroborated Mary Taylor's account. This witness stated, that when they got near the men, one of them was beating Mr. Fairles with a stick, and the other was holding him

down, and crying, "Kill him, kill him."

Robert Stewart. — I was at Turner's public-house at Jarrow, on the afternoon of Monday, the 11th of June. The prisoner Jobling, Ralph Armstrong, and some others were there. Jobling had some money. He mentioned that Mr. Foster had given him a shilling. The shilling was laid upon the table and spent. After this I saw Mr. Fairles on a pony. He was going towards Jarrow. I was at that time standing by the public-house door. Jobling was standing at the same place. He said, "Here is Mr. Fairles. I will ask him for something to drink." I saw him go and walk alongside Mr. Fairles. Armstrong was at that time in the public-house. He then left the house, and at first walked in a direction towards South Shields; but when he got to the end of the row of houses, he turned and went into the road towards Jarrow, after Mr. Fairles and Jobling. Mr. Fairles and Jobling were together, and Armstrong walking after. About twenty minutes afterwards, I again saw Jobling and Armstrong pass the public-house. They were running breast by breast towards South Shields.

Esther Doran.—I live at the next house to Turner's public-house. I saw Mr. Fairles pass between five and six o'clock on the evening of the 11th of June. I saw the prisoner go up to him and ask for something to drink. Mr. Fairles said that Jobling appeared to have had enough already, but Jobling said that he knew better. Soon after another man passed after them. He had his hands behind him under his coat, and as he went along he said, as if to himself, "Let's kill him." He

followed in the direction of Jobling and Mr. Fairles. In a short time the two men returned running. The hand of the taller man (Armstrong) was all covered with blood.

Other witnesses were called who saw Armstrong and Jobling running away, in a direction from Jarrow to South Shields, and who observed blood on Armstrong's hand. One of the witnesses heard one of the men say, "We've done for him."

John Hind stated, that he observed Mr. Fairles and Jobling pass, followed by Armstrong. This witness joined Mr. Fairles after the assault, when the women were assisting him to rise. Mr. Fairles said, in answer to witness's question, that Armstrong had ill-treated him, and that Jobling had been present. He said, Jobling had not struck him but had lent him no assistance. After Mr. Fairles had been removed into Mr. Blenkinsop's house, witness heard him whilst leaning his head upon a chair mutter to himself, "Oh, Jobling, Jobling, if you had helped me when I had him on the ground, I could have mastered him."

James Rob, a constable, apprehended Jobling on the same evening. He was dressed in a blue jacket and trousers.

Mr. Eddons, a surgeon, who had attended Mr. Fairles, described the injuries which Mr. Fairles had received. Several wounds had been inflicted, but a fracture over the right eye appeared to have been the cause of death.

The examination of Mr. Fairles was then read. The examinant stated, that on the afternoon in question, he was going towards Jarrow, and that just as he had got through the turnpike near the public-house, William Jobling came

up and asked for something to drink. Examinant said, he thought he had had sufficient, or perhaps he would give him something. William Jobling then put his hand on examinant's arm, and at the same moment examinant felt some one pulling at the cape of his great coat. He looked round, and saw a man whose name, he believed, was Armstrong. The man said, "D—n you, old b——, we'll do for you." They immediately pulled examinant from his pony, threw him on the ground, and whilst Jobling held him down, Armstrong beat him on the head with a stone and stick. This continued until a woman's voice was heard, when both the men got up and went away.

Several witnesses gave the prisoner an excellent character.

The prisoner himself declared, that he was innocent, and that the assault on Mr. Fairles had been committed in his presence by Armstrong and another man, and that he (prisoner) had run away at the beginning.

Mr. Justice Parke summed up the case, and particularly directed the attention of the jury to the apparent contradiction between the expression said to have been made use of by Mr. Fairles just after the assault, and the deliberate statement which he made some days after in the prisoner's presence.

The jury retired for about a quarter of an hour, and then returned a verdict of *Guilty*.

The learned judge then passed the sentence of the law, and directed the prisoner to be hanged, and his body to be afterwards hung in chains.

2. FATAL ACCIDENT BY LIGHTNING.—A violent thunder storm

passed over the metropolis. A waterman named Webb, of Kidney-stairs, Limehouse, was rowing a gentleman up the river, when they were overtaken by the storm nearly opposite Wapping-new-stairs; and, before they could put ashore for shelter, a flash of lightning struck the boat and shattered it to pieces. Both persons were killed. They were conveyed to the Waterman's Arms public-house in High-street, Wapping. The gentleman was found to be quite dead. The electric fluid appeared to have struck him on the head, and then passed down his body. The crown, and about nine inches of the body of his hat, were separated from the rest, as if cut with a knife, and were much scorched. Webb lived for a few minutes after he was brought ashore, and uttered some words very indistinctly before he expired. He was also burnt about the body. The gentleman was holding an umbrella over his head at the time of the accident.

**3. CHARGE OF MURDER.—MIDLAND CIRCUIT—CROWN COURT, DERBY.—**Before Mr. Justice Park. Robert M'Cracken, aged thirty-six, a stone-mason by trade, was indicted for the wilful murder of Mary M'Cracken, his wife, on the 11th of June last, in the parish of Dronfield, in this county, by poisoning her with arsenic.

Elizabeth Smith stated, that she and her husband resided at Upper Healy, near Sheffield. On Friday, the 8th of June last, the prisoner came to lodge with her, and stated that his wife was to come next day. On the Saturday his wife came, and stayed until Monday morning. About half-past nine on Sunday morning the prisoner went out, and returned at half-past two in the afternoon, while witness

and the deceased were at chapel. Witness then saw two bottles of pop standing in the window of their room. On Monday morning the prisoner and his wife set off about half-past five o'clock, the latter having eaten nothing, but taken a piece of gooseberry-pie with her. Before they left the house, the deceased said, "One bottle of pop will be plenty for me." On Tuesday morning prisoner returned about nine o'clock, and said he had had a job, his wife was dead. The deceased had not appeared, whilst at witness's house, to be in bad health. Dronfield is about four and a half miles distant from Healy. On Tuesday morning prisoner said deceased had drunk some pop, which made her sick, and he did not wish her to drink any more; but she drank some more because she thought it would do her good.

On cross-examination the witness said, that when the deceased arrived on Saturday, she was wet, and the prisoner said, she should have brought an umbrella. He treated her with great affection. He bought a hat and some oranges to send home to his children, of whom they had four. She complained on Sunday night of her breast being sore for the want of drawing. The pop was not concealed. The corks were tied down. He appeared in great distress on his return on Tuesday. He wept much.

John Vicars saw the deceased on Monday morning, about seven o'clock, on Greenhill-moor, about a mile from Woodseats. She was very sick, and was vomiting against a wall.

John Booker saw the deceased in company with last witness, and took her to a public-house in Dron-

field, about a mile distant. She said, "Oh, how my inside burns; my poor children!"

Elizabeth Thorpe, of the Coach and Horses Inn at Dronfield, said that the deceased was taken to her house on Monday, June 11, by Booker. She continued very ill, and witness wrote for her husband, who came to her at three o'clock in the afternoon. He asked her if her breasts hurt her. She said, "No; it was her belly and the pop." He asked her, if she did not like it. She said she did, but it made her very ill. He treated her with great attention, and was frequently in tears. Witness said, "I hope you have not been putting any thing into the pop." He said, "Oh no, it was very excellent pop." Deceased said she was sure he would not do any thing of the kind. He said he had bought two bottles of pop to take with them, as she could not drink strong liquor; she had drank one, which had made her sick and poorly; she could not drink the other, and so he had drunk it himself. The deceased said the same thing. The prisoner then observed, that perhaps it was the gooseberry-pie that had made her ill. The deceased said she had only eaten a little of the crust. Mr. Nicholson, the surgeon, came to see her. She got somewhat better in the evening, but afterwards grew worse. She said, "Lord have mercy on me, and turn my heart; I am sure I shall die." She then grew insensible. She died at two o'clock in the morning. Witness took a letter from the pocket of the deceased, and gave it to Smith the constable. She also took from the pocket of deceased a purse with money in it,

a piece of pie-crust, and a lump of nitre.

Cross-examined.—At half-past ten o'clock sent for prisoner, by desire of deceased. He came, and wept much on seeing her. He remained with her in great grief, and she died in his arms. Witness offered to go for a surgeon, and prisoner said, he did not wish her to have the trouble, but he was desirous she should have the best advice.

Mary Deakin said, that the prisoner came to her shop at Sheffield, on Sunday, the 10th of June, and asked for two bottles of pop for his wife, who, he said, had drunk some treacle beer, which was not good for her. There being none in the house, witness sent out and procured two bottles.

Mary Ann Hunt was sent out by last witness to Mrs. Baker for two bottles of pop for prisoner. She laid them down on the table in the same state as she had received them.

John Barker, son of William Barker, a confectioner at Sheffield, sold the two bottles of pop to last witness.

William Barker made the ginger beer sold to last witness. They were two of 36 bottles which he had made. He had rinsed the bottles before he had filled them, and had put no noxious ingredients into the beer. He had sold the whole 36 bottles, and never heard any complaints of the beer.

Richard Curworth was working with prisoner in June last. On Monday, the 11th of June, he said he had been on the road to Derby with his little woman, and he was afraid that the wet would kill her; it rained that morning. Having received a note in the afternoon,

saying that his wife was dying, he went away, and took John Deacon with him.

John Deacon remembered the morning of the 11th of June. When prisoner came to his work, he said he had been a bit of the road with his wife, who he was afraid would get her death of cold. He had two pop bottles with him; one of which had only a little pop in it. He emptied it out, saying it was very bad pop. Witness accompanied him, at his request, to Dronfield, and went into the room where his wife was. Prisoner asked his wife, if it was her breasts that were bad. She said "No, it was her stomach and the pop." He burst into tears. He carried his wife in his arms to bed. He exhibited the bottles openly.

George Hill said, that prisoner came to lodge with him in July, 1831. Prisoner passed as a single man, and witness's daughter and he became attached. He asked witness what fortune he would give him, if he would marry her? Witness said he would do the best he could for her, but could give her no money. He enticed her away with him at Christmas, and also in February. She is now in the family way by him. Witness afterwards found out he was a married man, and saw the marriage register at Derby, as also his wife and children.

Mary Ann Hill was then put into the box, and allowed to sit down. She said, the prisoner had paid his addresses to her. She had received a letter with a brooch from him, which she had delivered to Smith, the constable. She was now in the family way, and the prisoner was the father of the child.

William Halliday, a stone-mason at Derby, was in company with prisoner at Christmas last. He asked witness to go to the Roebuck public-house, and see his new mistress. Witness went, and saw Mary Ann Hill.

John Waterfield, a jeweller at Derby, made the brooch, and gave it to the deceased the day before she left Derby.

John Cockayne proved prisoner's handwriting in both letters.

The letter to the wife was an invitation to visit him, as he was not very well, and also to bring or send the brooch for that man who had wanted it. The letter to Mary Ann Hill, after informing her that he had sent her some calico, and referring to the brooch, concluded in these terms—"I hope I shall soon have good news for you," It was dated June 10th.

John Hay saw prisoner on the 23rd of May, and when travelling together from Sheffield to Mansfield, the prisoner told him he had a sweetheart at Pleasly. He inquired at a public-house near Bolsover for a female named Hill, and asked if her father's land was his own, or only rented by him? He was informed it was rented of the Duke. They went to the Swan public-house at Pleasly, and prisoner asked the landlady where Mary Ann was. She said, she was up stairs in her chamber. Prisoner went to see her; on his return he said he had seen her, and added, "they may confine her as they like, she is mine, and I will have her."

Mr. Nicholson, surgeon, at Dronfield, saw the deceased on the Monday morning; found her lying across two or three chairs vomiting very freely. She said she had no pain. Gave her a quantity



of warm liquid to cleanse her stomach, and also mild aperients. She grew better in the afternoon; but afterwards got worse. She became delirious, and kept continually asking for drink. She died on Tuesday morning, about two o'clock. On a *post mortem* examination, the stomach and intestines presented nothing remarkable in their appearance. On a subsequent examination at the medical institution at Sheffield on Thursday, the result satisfied witness that the deceased had died of arsenic internally administered.

Cross-examined.—The coats of the stomach were not corroded, nor was there much appearance of inflammation.

Dr. Favell, a physician at Sheffield, spoke positively to the presence of arsenic being detected by the tests to which he had subjected the contents of the stomach.

The prisoner, when called upon for his defence, said, that what he had said about Mary Ann Hill was, that "they might close her up, and keep her closed up for all he cared." What he meant by the good news in his letter was, that he was promised some money, which would enable him to pay a debt he owed Mary Ann's father.

Samuel Lawn went with prisoner to buy the pop. Saw the corks tied down, and prisoner did not alter them in his presence. When he was going out his wife said, "Think of those two bottles of pop." Prisoner replied, "Very well."

The Rev. Mr. Holden, and John Mason, an architect, gave the prisoner a good character.

The Judge having summed up the evidence,

The Jury retired for half an

hour, and then returned with a verdict of *Not Guilty*.

4. NISI PRIUS COURT, DERBY. *Before Mr. Justice Park and Special Juries.*—MUNDY, ESQ. *v.* THE INHABITANTS OF MORLESTON.—This was an action brought by Mr. Mundy, formerly member of Parliament for this county, against the hundred of Morleston, to recover compensation for the injury done to his house at Marketon by the rioters in October last.

It appeared in evidence, that, on the arrival of the mail at Derby on the 8th of October last, announcing the rejection of the Reform Bill in the House of Lords, a riotous mob assembled in the streets, and proceeded to break the windows of various persons. At about twelve o'clock at night they went out to Mr. Mundy's house, and commenced an attack on the doors and windows. Mr. Mundy, his son, Mr. William Mundy, and his nephew, Captain Mundy, were in the house at the time, together with nine male servants, besides the females of the family. The principal attack was made on the garden-front, where Mr. William Mundy placed himself with a brace of pistols inside the hall door, together with some of the servants. He called out to the mob repeatedly from the window near the door, that he would fire at the first man who should enter the house. A bell having been rung, a number of men from the village of Marketon came up, armed with pitchforks and other weapons, and were let into the house at the rear, on which the rioters called out to each other, that the "Marketon boys had come;" and after observing them and the servants inside the defendant's windows

with fire-arms, they went away, after they had demolished several windows, doors, &c. and done considerable damage to the premises, and repeatedly called out that they must have Mr. Mundy's life.

The jury, after about twenty-five minutes' deliberation, returned a verdict for the plaintiff.

The amount of the damages was agreed to be settled out of court.

**THE KING v. TWORT AND ANOTHER.**—This indictment, preferred by order of the Attorney-General against the two defendants, Twort and Ward, charged them with conspiring to bring the Christian religion and its ministers into contempt and odium, both by words and by the publication of blasphemous libels; and also to bring the King's proclamation for a general fast into contempt. The indictment further charged them with assaulting the Rev. Mr. Deane.

The defendants held themselves out as being inspired with a divine mission. Ward, called himself Zion, and said he was the Saviour. Twort called himself Shiloh. Not content with preaching the most absurd doctrines, they circulated hand bills and penny publications, filled with blasphemy, denying the birth or existence of our Redeemer, stigmatizing all the mysteries of the Christian faith as a tissue of delusion and falsehood, fabricated by priestcraft, and inveighing against the bishops and clergy of the Established Church, as so many wolves in sheep's clothing, whose hearts were as black as their coats. They turned the proclamation for a general fast into gross ridicule. On being prevented from holding forth their abominations

in the assembly rooms, they collected a mob outside in the street, and caused a disturbance, but promised to get a licence from Lichfield in a day or two, when they would be able to "perform" in spite of the mayor. They caused their placards to be posted about the country, exciting the people to discontent, and upon Mr. Deane, a respectable clergyman, who was passing along the street, refusing to take a tract which Twort offered him, the latter abused him in the most offensive terms, and persisted in so doing until Mr. Deane affected to treat him as a maniac, saying, "Poor fellow, poor fellow," when he left him in a great rage. Upon subsequently observing Mr. Deane tearing down one of the offensive placards from the window-shutter of a public-house, he rushed at him and assaulted him with his umbrella.

The Jury deliberated for a moment or two, and then pronounced both defendants *Guilty* of the principal charge of conspiracy; and Twort of the assault upon Mr. Deane also. The defendants were sentenced to imprisonment for 18 calendar months.

5. **STOCKPORT.**—*Murder, and Suicide of the Murderer.*—Between the hours of two and three o'clock in the morning, as the watchman was going his rounds in the Higher Hillgate, his attention was attracted to a confused noise and half-suppressed shrieks, which issued from the house of a fancy silk-weaver, named Thomas Songe, situated in Small-street, a few doors from the Hillgate. He immediately proceeded to the window-shutters and listened; he thought it was somebody beating a woman, and took but little no-

tice of it; but just as he was going away, he heard a cry of "murder," and some one say that Songe had cut his wife's throat. A number of persons congregated about the house, and Mr. Rayner, a surgeon, entered. Mrs. Songe was extended on the bed, lifeless, with her throat cut in so horrible a manner that, when lifted up, her head hung from the trunk apparently by a piece of skin. By the side of the murdered woman lay the murderer, Songe, with his throat cut also, and most terribly mutilated. His eyes were fixed, and he died in the utmost agony in about an hour after the entrance of the surgeon. A bloody razor lay by the side of the murderer in the bed. There were six children in the house at the time, one of whom, a little girl about eleven years of age, was in the same room, and saw the murder committed; but was compelled to be silent, in consequence of a threat that Songe held out to her, that if she spoke a word he would murder her also. The room was dark, and, according to the account of the child, the murderer knelt upon her mother while he cut her throat, having previously got up from the bed and fetched a razor from the cupboard. The other children were asleep in an adjoining room. The cause for the committal of the deed was, that Songe was jealous of his wife and his two apprentices.

**THUNDER STORM.**—The hazy weather which prevailed for several days was followed by a thunder storm, in Edinburgh, accompanied with heavy rain. The lightning was frequent and very vivid, and passed over the city from south to north. The peals of thunder fol-

lowed each other in quick succession and were very loud. The lightning was extremely vivid. The top-mast of the Duke of Buccleuch smack, at Leith, was shivered to pieces by the electric fluid. The lower parts of Edinburgh were quite inundated. The lightning struck the house of Mr. Porteous, farmer, about half a mile east of Musselburgh, and passing down the chimney, caught the bell-wire in the bed-room beneath, shattered all the panes in the window except one, and finally exploded in the kitchen with a noise like that of a cannon. The fluid passed within half a yard of a boy who was asleep with his head resting on a jamb of the kitchen grate; he was not awakened by the report, loud as it was, and, when aroused, only asked, "what they wakened him for?" In Glasgow the storm extended for several miles round, particularly to the south and west. The peals of thunder were very loud. At Thornly-bank the storm was terrific, and was followed by fatal consequences, a boy and a girl both being struck with lightning, and killed on the spot. The girl named Yuille, about fifteen years of age, was standing on an outside stair, and the boy whose name was Martin, about a year younger, was in the house adjoining, when they were struck with the same flash—the destructive fluid having entered by the chimney, when it struck the boy, and passing through the house, killed the girl at the door. Another boy was a little hurt on the hand. The chimney was a good deal damaged, but otherwise the house sustained little injury. The storm was likewise experienced at Kirkaldy, and round about that district. At the

Grace received no injury, although one of the carriage windows was broken.

8. **HYDROPHOBIA.** — An inquest was held at the Rose-in-the-Bud public-house, Greenwich, on view of the body of Mr. Samuel Risdell, aged fifty-six, a hairdresser, in Beauchamp-street, Deptford, whose death was occasioned by the bite of a dog. It appeared from the evidence of several witnesses, that on Thursday afternoon, the 3rd of May, as the deceased was walking along High-street, Deptford, a little dog of the spaniel breed followed him some distance, and upon his attempting to fondle it, the animal sprang at him and bit him very severely on the wrist. He took no notice of the wound, and it apparently healed up. On Monday night he complained of feeling considerable pain in his wrist, and upon the recommendation of a neighbour, applied a poultice to it. On the following day he became worse, and evinced symptoms of hydrophobia, which increased to such an extent in the evening, that a straight-waistcoat was put on him to restrain his violence. He died in the greatest agony.

The Jury returned a verdict, that the deceased died by hydrophobia.

9. **ATTEMPT UPON THE LIFE OF THE KING OF HUNGARY.** — An attempt was made this morning upon the life of the young king of Hungary at the baths of Baden (about fifteen miles from Vienna.) After mass, the king, attended by one of the gentlemen of his chamber, Field-Marshal Count Salis, took his usual walk on the road towards Berg. On arriving at about 100 yards beyond the last house in the direction of the

Valley of St. Helena, a captain named Reindl, who was a state pensioner, fired a pocket pistol at the king, the ball of which struck his majesty on the left shoulder, but lodged in the wadding of his coat, and only occasioned a slight contusion. In an instant three persons, who happened to be near, ran to seize the assassin, who, after throwing away the pistol he had fired, discharged another into his own mouth, the ball of which lodged in the roof. He then fired a third pistol at random, on which he was seized, and taken to the Hotel de Ville, at Baden, and was afterwards conveyed to Vienna. The wound in his mouth was not of a serious nature, and it was evident that all the three pistols were badly charged. The king immediately returned into the town on foot. Reindl, who was a man of extravagant and disorderly habits, had applied to the young king for a grant of 900 florins, but having received only 100, he became so enraged that he committed this desperate act. After undergoing an examination at Baden, he was brought to Vienna. At twelve o'clock, the emperor and the king of Hungary attended the ceremony of the consecration of cardinal Spinola, and proceeded to the church on horseback.

**LEICESTER.** — *The Duke of Newcastle v. the Inhabitants of the Hundred of Broxtowe.* — This was an action brought by his grace the duke of Newcastle against the inhabitants of the hundred of Broxtowe, to recover compensation for the damage done to Nottingham castle, by a riotous mob, in the month of October last. The damages were laid at upwards of 31,000*l*.

On the question of amount of damage, only one witness, Mr. Robinson, an architect in the em-

taken from the wreck. The diver's head dress is composed of copper, and is a complete covering, made much after the manner of the ancient helmet, only that it is larger than the head, and has in its upper part three glass windows; it weighs 50lb. He has two other dresses on besides that above mentioned. He carries down with him 120lb. of lead in two bags. With all this weight he declares that, when in the water, he appears perfectly free from weight or encumbrance of any sort. The diver, when under water, finds his strength so increased, that he can bend the ends together of the large iron crow bar (of  $3\frac{1}{2}$  feet long, and  $2\frac{1}{2}$  inch in size) which he takes down with him to part the wreck. These divers go down alternately about twice a-day, but are compelled to take advantage of the tides when it is slack water.

16. BALLOON ASCENT. — Mr. Green, the celebrated aëronaut, made an ascent at Lancaster, accompanied by R. C. Hildyard, Esq., barrister-at-law. On first rising, the course of the balloon was N.E. by N., in which it continued about two minutes, and then met with a current almost due west, carrying it about two miles south of Hornby, in the direction of Settle. When at the height of about half a mile they encountered several clouds, which obstructed their view of the earth; and at the expiration of fifty-six minutes, Mr. Green and his companion descended, having been carried nearly to Settle, in Yorkshire, a distance of twenty-five miles.

16. SACRILEGE. — OXFORD CIRCUIT.—GLOUCESTER.—Uriah Cox, William Risby, and Ephraim

Close, were charged with stealing one of the church bells out of the tower of the church of Cherrington, value 20/.

Joseph Fowles, parish-clerk of Avington, stated, that in November last there were four bells in the belfry of the Cherrington church. He missed one of the bells in December. He chimed it the previous Sunday. On that day, Ephraim Close came in, and looked very steadily at the belfry; he did not stay for service; he went away. Witness missed the bell the subsequent Wednesday. In July last, he saw the bell at Avening church; he knew it by a flaw in its side. The donor's name, Edward Neale, was on it. When he missed the bell he observed that the church door had been broken open.—Cross-examined.—Has been parish-clerk eighteen years. Four bells is an odd number. Never heard that there was a dispute about the bell that was stolen. The prisoner Close was a bell ringer at Avening church; he is the son of the clerk.

Joseph Roberts, carpenter, saw the bell which was taken out of Cherrington church, in Avening belfry. It would take three or four men to remove it from where it was hung. The model now produced shews the manner in which it was hung. The bell was 400 weight.

Mr. Thomas Baldwin, churchwarden of the parish of Cherrington, saw the bell which had been stolen in the belfry at Avening. At Cherrington church the floors had been taken up to get the bell through. The churchwardens of Avening, when he claimed the bell, allowed it to be taken down, and put outside the church, but the populace would not allow it to be

centre part of which was destroyed, commencing on the westward with the premises of H. W. Danson's estate, and ending to the eastward with the range of new buildings belonging to Mr. Daniel Candler. All the houses within these limits were entirely consumed. The fire broke out in a small space between the premises of Mr. Thomas Marks and those of Messrs. Thomas Ridley and Co.; soon after which there was a most awful explosion of gunpowder, which spread the burning embers in all directions, and the fire immediately broke out in several places at the same time. The two engines were kept playing upon the house of Mr. Marks, and at the beginning with considerable effect; but, after the first explosion of gunpowder, the people were more careful in not risking their lives, and the engines withdrew to the house of Mr. Peter Brown, which was kept wet. Here a stand was successfully made, by which the upper part of the town was saved. James F. Cawley, Esq., to the eastward, had a plentiful supply of water and wet blankets, which were put upon the roof of the house, and by that means the fire was checked in its progress to the eastward. The established church, and all the houses within the above range, were entirely destroyed, except the new Foundling School-house, and the parsonage. The former was not sixty feet from the church. What was saved, either of furniture, goods, stores, or provisions, was very trifling. No lives were lost. Such was the rapidity with which the flames spread, that from the beginning of the conflagration till it had reached its utmost extent did not occupy more than an hour

and a half. But for the circumstance of several explosions of gunpowder the fire would not have spread so rapidly, and much property might have been saved.

**ACCIDENT ON THE RIVER.**—An accident, attended with fatal consequences, took place about three o'clock, just above Purfleet. The captain of Lord Cholmondeley's sailing vessel, the *Brilliant*, asked permission of his lordship to take a few of his friends for a sailing excursion down to Gravesend, which being accorded, the captain, named Biddle, started in the morning, in company with seven other persons, all males, his friends. They had a most boisterous passage down the river, but reached Gravesend in safety, and after remaining there some time, during which the gale increased almost to a hurricane, they put about with the intention of returning home. When they reached Purfleet, a sudden squall of wind caused her to heel, and she filled with water, and went down instantly, stern foremost. Immediate assistance was rendered from the shore; but only two of the party were saved; the rest, including the captain, were drowned.

**VOLCANIC ISLAND.**—The following is a copy of a report from captain C. H. Swinburne, commanding his Majesty's sloop *Rapid*, addressed to vice-admiral the hon. sir Henry Hotham, commander of his Majesty's ships and vessels in the Mediterranean, stating the existence of a dangerous shoal in the mid-channel between the island of Pantalasia and the coast of Sicily:—

“His Majesty's sloop *Rapid*, at Malta, August 24.

“Sir,—I have the honour to inform you, that in compliance



which there were seven men at the time of the murder ; but neither they nor Ryan's family were willing to give any information to the police.

28. INQUEST.—This evening an Inquest was held on Mrs. Sophia Collis, who hung herself on Sunday last, at her house, in Baltic Street, where she had lived several years in great respectability as a grocer. About 8 o'clock on that evening she closed her shop contrary to her usual custom, and, having put off her clothes, which she placed with great care in her drawers, she then dressed herself in a turban, long white night-gown, trousers, silk stockings, and boots, in which, according to a written document, which she left, she desired she might be buried. After this, she deliberately fixed a rope, which she soaped well ; and having placed a seven pound weight with a cord to each leg, she threw herself off a chair which she placed near the spot for the purpose.

The jury having viewed the body, the following evidence was adduced :—

Thomas Reynolds had known the deceased for some years ; she was a married woman, about forty years of age. Her husband was in Van Dieman's Land. He had reason to believe there was a young man who cohabited with her. Yesterday week they went to Camberwell fair together, since which he had not seen any thing particular in the conduct of the deceased. She was always considered a woman of high spirits. In consequence of his excited suspicion, he entered the house, and found the deceased hanging by a cord to a beam in the shop. Four papers written by her were found

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pinned to her bosom, and were to the following effect :—

“ Mr. Watts is the cause of it, and I hope will pray to God to forgive me. “ Sophia Collis.”

“ To Mrs. Strawbridge.—Pray let me buried in the dress you may find my body enclosed in after death, as I have them on for the purpose—that is, cap, gown, trousers, and stockings. To be washed I do not want, as I am clean enough.

“ Mary Sophia Collis.”

“ Pray keep this to show Mr. John Collis, my husband, and let him know my heart is broken.

“ Sophia Collis.”

“ Please to give my kind love to all friends, and tell them I am out of a troublesome world ; and when you see this, thanks to the Lord, I shall be happy.

“ Sophia Collis.”

Elizabeth Reynolds, the daughter of the last witness, said, for the last week the deceased had been in a desponding way ; on Sunday last she was very much distressed, and said she would take poison. Shortly after, she said she was going out, and desired the witness to leave ; which she did immediately, leaving the deceased in the house.

The jury found that the deceased committed the act, being at the time in a state of temporary derangement.

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## SEPTEMBER.

2. CHOLERA.—MANCHESTER.—This evening between the hours of 5 and 6 o'clock, this town was thrown into a state of great alarm, in consequence of a most serious disturbance at New Cross, and St. George's-road, the neighbourhood of the cholera hospital. The

7. **MANSLAUGHTER.** — An inquest was held touching the death of a boy named William Willis, aged seven years, who came to his death under the following circumstances:—

Robert Willis, brother to the deceased, stated, that his father was a bricklayer living in the neighbourhood; that on Thursday week the deceased went into Mr. Arnold's garden, next to his (Mr. Arnold's) paper mill, in the Kingsland-road, and took a bunch of grapes. On the following day, a man in the manufactory under Mr. Arnold, who had seen the transaction, sent for the deceased, and asked him to fetch him his dinner, which his little brother did, when, on his return with it, John Bawrey said, in his hearing, to another man in the mills, "This is the lad that stole the grapes: come, let us steam him." Bawrey then took the deceased by the shoulders, and held his head down to the safety-valve, when the other man named John Hartey turned the valve and let the steam off upon him, which process was repeated three or four times, when, in consequence of the deceased crying out murder, they released him, after which he returned home apparently uninjured. On the Saturday following, however, he complained of considerable pain in his head, and on the following Sunday he died.

Mary Willis, the mother of the deceased, stated that when her son came home he appeared very pale and frightened. In two days after, a material alteration took place. His eyes became fixed, and the mass of blood was changed, in her opinion, by fright.

Coroner.—Was his face injured?

Witness.—It was not.

Witness, in continuation, said that his eyes never closed afterwards, not even when asleep. During his illness he voided an immense worm, which he never did before. He was a fine healthy boy, and, in her opinion, died from fright.

A number of other witnesses were examined, who stated, that the steam-engine was worked by the two men already mentioned, that the steam could escape without scalding or injury, but that the rush was violent and loud, and that a youth might be placed near it without receiving any serious injury.

Mr. Lewis, the parish surgeon, in the Kingsland-road, who, by the desire of the jury, had opened the body, said, after describing the appearances which on examination presented themselves, it was his opinion that sudden fright was the cause of the deceased's death.

Coroner.—How do you account for the eyes not being closed, as stated by the mother?

Witness. — From inflammation of the brain, which has a strong effect upon the eye.

The jury after a deliberation of upwards of an hour, returned a verdict of "Manslaughter" against the two men, John Bawrey and John Hartey.

— **MURDER ON THE RIVER THAMES.**—**OLD BAILEY.**—Before Mr. Justice Patteson.—William Kennedy, aged 19, a fisherman, and William Brown, aged also 19, a labourer, were indicted for the wilful murder of William Wilkinson, on the 17th of July last.

Mr. Smales.—I am a printer, in Aldersgate-street. I knew William Wilkinson. He was a clerk. Accompanied him on the river on the 17th of July last. Got into a funny at Bull-stairs, and, as we

rowed up, observed two boats following. This was near Vauxhall-bridge. On arriving opposite the Spread Eagle, at Milbank, one boat passed us, and we did not see her after. The other passed between us and the Middlesex shore, which was about fourteen or fifteen yards distant. It wanted two minutes to 10 by my watch. The boat had two men in her. She went on some yards, then turned round, and fell foul of us. Her head struck that of our boat on the outside. Deceased desired me to bear a-hand to shove off. While I was endeavouring to do so, the head of their boat reached the centre of ours, when one of the men knocked the two boats together with his hand, the other seized the two coats at the feet of the deceased, and took them into theirs. I raised the oar and endeavoured to strike them with it. That moment the boat was getting off, when the deceased endeavoured to jump into it; it was then distant about six feet. He fell into the water, but caught the gunwale with his left hand. Did not strike any part of his person against the boat. The men began to strike him on the head with the sculls, while he held on with the left and struggled with his right against them. Both men struck him several blows with force for three or four minutes. He had no hat on. He quitted the boat as if he was struck or pushed back into the water. A blow was given a moment before. I threw out a scull, and called to him to seize it, but he made again for the strange boat. When he got to it, he was pushed or struck back again. Did not see what was used for that purpose. It was not a scull. Immediately after, he commenced strug-

gling, and soon sunk. I never struck deceased. When I made the blow he was in my boat. The other was then about twenty or thirty yards off, and making across the river. I rowed after with a scull and an oar, but the oar turned the boat round. The tide was running down. I know one of the men, Kennedy.

Cross-examined by Mr. Clarkson. —The night was a light one. The moon was rising. Do not know I ever said it was dark. Believe I did say I struck at the men twice; will now swear I did not, and also that I never said I struck my friend. Could see nearly half-way across the river. Was thunder-struck when he jumped out, and I am sure he did not strike his head against the boat. Do not know whether he could swim or not. Will swear I did not strike my friend with the oar when I threw it out to him, or with the scull. They fell considerably short of him. Made no blow after he jumped out.

John Rowan, Jack-in-the-water at the Spread-eagle.—Was on the causeway at the water's edge on the night of the 17th of July, 10 minutes before 10 o'clock. Heard a cry of murder 5 minutes after 10, but that being a frequent thing, did not take any notice of it until I heard it again. Ran to the edge of the river and heard "a guggle, guggle," and knew it was somebody drowning. Ran to the house. The waiter and I took a gentleman's boat, and before twenty strokes saw one gentleman standing up in a boat. He put his hands together, and said, "Oh my friend's gone;" he pointed in the direction the boat had taken, across the river; but witness could see

nothing; it was a dark night. The moon had not risen; at any rate, it showed no light on the river.

Several witnesses were then called to prove the identity of the prisoners with the men in the boat; but their evidence was rendered unnecessary by the written defence of the prisoners, which acknowledged the fact subsequently.

Mr. W. Davis, surgeon, examined the body of William Wilkinson. There was a wound on the bridge of the nose about an inch in length. The bones were bare, and slightly broken. There were considerable bruises on nearly the whole of the forehead, and extravasated blood beneath the skin. There were marks behind both ears about the size each of half-a-crown, and a slight bruise on the left hand. These were the only external marks of injury. The internal consisted of considerable extravasation over a space as large as the hand on the surface of the brain, just on the top of the head. There was no external mark over that place. In his opinion, the blow on the nose and forehead produced stunning, and the man was drowned. The extravasation on the brain was caused by that blow. The appearances would not account for immediate death, though death would, in his opinion, ultimately result from the injury to the brain.

On his cross-examination by Mr. Clarkson, witness said that a body drowned, and lying for a certain time in the water, would exhibit extravasation, but not similar to that he had observed. The appearances would not be produced by a blow after death. The blow on the forehead was a mortal blow; the inflammation on the brain which it would cause would have produced death in his opinion.

The depositions of the prisoners at the Thames-police-office having been read,

The jury, after a short deliberation, returned a verdict of *Guilty* against both prisoners.

The learned judge then sentenced them to be executed on Monday. They were, however, deemed fit objects of royal mercy: and the sentence of death was commuted into transportation!

7. RIOT AT WALLSTOWN.—An inquest was held on the bodies of several persons who had been shot by the military, while resisting the operations of tithe-valuers at Wallstown, in the vicinity of Doneraile, in the county of Cork.

Lieutenant Alexander William Grierson, of the 14th infantry stated, that on the morning of Wednesday, the 5th instant, he was sent with a detachment of his regiment to assist the magistrates and the civil power in the valuation of the tithes of the parish of Wallstown. He was accompanied from the glebe-house by Admiral Evans, George Bond Low, and Garrett Nagle, Esqrs., magistrates of the county. On approaching the hill, to the rear of the rector's house, where a crowd of people were collected, he heard Admiral Evans order them to disperse in the King's name. At that moment there were about 150 persons present. On descending the hill he saw a party of policemen in the act of charging the crowd, who were about thirty yards distant from their bayonets. The witness then received directions from the magistrates to follow the people, who repaired to the top of the adjoining hill. On the arrival of witness's party, Admiral Evans took off his hat, and, addressing the

the magistrates, the party fired. As he believes, the 92nd did not fire; his party did not fire in the air. When witness came to examine the muskets of his party, he found that nine or ten out of the thirty-one did not fire at all; and there was but one discharge from the party. The lives of the magistrates, he thinks, were considerably endangered. Several of the people said to his party, "We'll not harm you, but we will these d—d Peelers." The greatest number present was about 800.

The Rev. John Gavan, rector of the parish of Wallstown.—He was obliged to call on the government for protection to assist him in valuing the tithes of the parish, having previously failed in doing so himself, in consequence of his men having been prevented from making the valuation; he left his own house on the morning of the 5th in company with the valuers, his son, and a party of police and military, and three magistrates—namely, Admiral Evans, Mr. Low, and Mr. Nagle; on going into the field of one James Blake, he saw a great number of people assembled, one of whom took off his hat and shouted to the others to "Hurry on, hurry on;" the police thereupon formed themselves into a square, and after that proceeded into the public road, and advanced. The crowd increased by hundreds, and commenced shouting in a tumultuous manner, "No tithes," "No church-rates," "No church," "No minister." The magistrates addressed the people, in the most forcible language that could be used, on the absurdity of their proceedings, and on going contrary to law. The people after that became more furious. Several of

them were armed with pitchforks, reaping-hooks, oak-poles, and stones; the women had stones in their aprons; the people did not hold the hooks in a menacing manner. About two hours were spent by the magistrates in remonstrating with the people, but when remonstrances had no effect, the Riot Act was read by General Barry, a magistrate of the county. He read it in a loud and audible voice, and accompanied it with observations,—that if they did not disperse in a quarter of an hour, the military would be obliged to do their duty. This had no effect but to increase their violence. He saw several persons arrested and handcuffed before the firing, and also several rescued, and heard a general order for firing by the magistrates; before that order was given, he saw stones thrown in the direction of the magistrates and military, and in a few minutes after he heard a general order to fire, and saw one man dead afterwards; cannot say how often the Riot Act was that day read; heard General Annesley and Admiral Evans frequently desire the people to disperse, in the name of the king, and they did not do so: about three hours elapsed from the time he left his own glebe until the firing commenced. The people continued following witness and his party from the time they left Blake's field, and their conduct was most furious and violent. Saw a printed paper in General Barry's hand, which he (General Barry) declared to be the riot act. Heard the riot act read three times that day. There was an interval of one hour between the first and second reading of the riot act, and between the second and third reading an interval of about fifty minutes, and,

great deal of forbearance; but thinks that if the soldiers had charged, and not fired, the people would have dispersed.

By Mr. Low.—Did you not see me charge with the Highlanders?—I saw the Highlanders charge, but I did not see you, Sir.

Mr. Low.—I can tell you I was with them then, and if the officer who commanded them is here, he will tell you that my directions to him were to charge with the bayonet and to touch them about the legs, but not to fire. We used to pass through them, but as soon as we passed they formed behind us.

By Admiral Evans.—You have stated, that if the military had charged the people, the people would have dispersed: do not you admit now that they did charge the people, and that they did not disperse?—I have stated that they did charge; but it was only a portion of them: if they had all charged together, I think the people would have dispersed.

By Mr. Low.—If the military had all charged together, and if the people had dispersed then, do not you think they would have collected again?—I think they would; but they would not have gone so near the military.

The Jury retired for a short time, and brought in a verdict of "Justifiable homicide."

17. COUNTERFEIT CHOLERA.—A journeyman blacksmith, named John Adams, alias Hallagan, was brought up in custody, and placed at the bar before Mr. Gregorie, charged with imposing on the public by pretending to be attacked by the cholera, under the following circumstances:

It appeared from the evidence, that about four o'clock on the previous afternoon, the prisoner was

in Orchard-street, Westminster, when he pretended to be suddenly taken very ill, and his groans, and the distortions of countenance that he assumed, soon attracted a number of persons around him, to whom he complained of being violently attacked with the cholera, and that he was seized with most dreadful spasms. Mr. Gallon, the landlord of the King's Head, on hearing what was the matter, instantly took him a quantity of brandy, which the prisoner drank. He, however, still complained that he was unable to move, and that he should be a dead man, unless something was done for him: more brandy was administered without the patient getting any better. The police at last came up, and so well did the prisoner play his part, that no person had the slightest idea but that he was attacked by that frightful disease, and it was deemed advisable to take him to the cholera hospital in York-street, which was effected by four men carrying him on their shoulders, followed by an immense concourse of people, the prisoner struggling all the way, and calling out, "I am a dead man." At the hospital he was immediately put to bed, and attended to by Mr. Knox, the surgeon, who ordered an emetic to be administered to him. The prisoner protested against this course of medicine, and said nothing did him so much good as brandy. The doctor thought different, and while the medicine was preparing, the prisoner got out of bed, hurried on his clothes, and ran out of the hospital. He was, however, followed and given in charge to a police constable.

Mr. George Knox, the surgeon, stated, that when the prisoner was brought into the hospital, he saw



no symptoms of cholera about him ; he was evidently intoxicated.

Mr. Gregorie regretted that he had not the power to punish the prisoner as he deserved ; all he could do was to fine him 5s. for being drunk.

**INQUEST.**—An inquisition was taken on Monday evening, on view of the body of Henry Bowtell, a youth, sixteen years of age, who was drowned in the Thames, under circumstances of an extraordinary nature.

William Sawyer, a shopman in the service of Mr. Bowtell, deposed that a party, consisting of himself, the deceased, four of his brothers, and a man named Christian Ficken, who was formerly apprenticed to Mr. Bowtell, the father of the deceased, having agreed upon an excursion to Richmond, on the morning of last Sunday se'nnight they proceeded to Lower Lambeth-walk, where they hired a four-oared cutter of Messrs. Honey and Archer, the boat-builders. They embarked about nine o'clock, and took with them a bottle of gin and a gallon of porter, some of which was consumed on their passage to Richmond, where they arrived safely, and dined at a tavern. They had several pots of porter there, and after dinner was ended, Christian Ficken called to the landlord to bring the brandy bottle, when about five or six glasses of brandy were drunk among the party. They then went for a walk in Richmond-park, leaving Ficken behind them in the house, and on their return back they found him drinking with another party in the room ; he seemed a little inebriated. They prepared for their journey home, and Ficken assisted in rowing the boat. On arriving off Chiswick

they halted, and came ashore, for the purpose of taking on board a young female, who had agreed to accompany them to town in the boat. While waiting for the young woman, they had some gin and water, and porter, and all, except the deceased and two younger brothers, smoked a pipe. They left Chiswick about six o'clock, the young woman being seated in the boat between the deceased and another brother. In this way they proceeded until they arrived about midway between Putney and Battersea-bridges, (it was then quite dusk), when Ficken, who was rowing with one of the oars, complained of being tired, and said he would steer the boat. He accordingly changed places with the man at the helm. He then called for his coat, which was handed over to him by the deceased, who sat immediately in front of him. Shortly afterwards witness heard the deceased's eldest brother exclaim, " Oh, my poor brother's gone ;" and it was with the greatest difficulty that witness could prevent him from jumping into the stream. Finding what had happened, witness went to look for the deceased, when he saw Ficken struggling in the water, having hold of the boat with his left hand ; but he saw nothing of the deceased, neither did he know by what accident he had disappeared. They were all sober except Ficken, and he appeared collected, and knew what he was about. Ficken managed to scramble into the boat. In consequence of the alarm given, a pleasure party, who were in a boat, came to their assistance, and advised them to row ashore with all possible despatch, to avoid further disasters ; they did so, and landed at the Swan, near Battersea-bridge.

Emily Detmering, the female alluded to, being sworn, stated that she was acquainted with the first witness Sawyer. She also knew Ficken slightly. She had been spending the day in question with a relative at Chiswick, and Sawyer called with the boat, according to his promise, to convey her home in the evening. She sat next the deceased, as already described, who conversed with her as they proceeded along the river, when, between the two bridges above-mentioned, she saw Ficken go to the boat's stern, and heard him call for his coat. In a few minutes afterwards the deceased fell back over the boat's side into the water, without any visible cause. She caught hold of his leg and held him for about a minute and a half, when she let go, in consequence of hearing Ficken call out, "It's all right, I've got him safe." On looking round she saw Ficken in the water, but knows not how he came there. The deceased disappeared the instant she let go her hold of him.

Juror.—Did Ficken appear jealous at your conversing with the deceased?

Witness.—He appeared rather sulky, but I'm not aware that it arose from feelings of jealousy.

The deceased's brothers were examined, but, though they sat facing the deceased, none of them saw how he disappeared from amongst them.

Ficken was next examined, and declared that, though he was perfectly sober and collected at the time, he knew not how the deceased or himself came into the water.

A gentleman, who happened to be at the Swan at the time of the accident, stepped forward and informed the Jury that he heard

Ficken say, that the accident was occasioned by his falling out of the boat and dragging the unfortunate youth after him, and that he had enough to do to save himself without trying to save the deceased. He appeared at this time collected and sober, and although the rest of the party appeared in grief, he seemed not the least concerned.

Ficken was again called in, but denied having made the above confession.

The Jury returned a verdict "That the deceased was drowned, but how he came into the water there was no satisfactory evidence to prove."

18. CONDUCT OF CATHOLIC PRIESTS IN IRELAND—MURDER AT DONERAILE.—An inquisition was taken at Doneraile on view of the bodies of Thomas Cummins and Francis Canning.

Richard Giles, Esq.—Francis Canning applied to him some time since to employ him as a valuator of the parishes of Doneraile, Roma, and part of Cahirduggan. Witness told him the country was in a desperate state, and desired him to consider whether he would do so or not. Witness told him, if he had a good man to go with him, he had no objection; he would employ him; but that there should be no murmurs, and that the parish should be fairly valued. Witness not considering him an experienced valuator, Canning brought a man named Thomas Cummins, of Doneraile, whom witness agreed to employ. Witness agreed to pay them 10% each, on completing the valuation. Cummins said, he would not go under less, and stated that the priest had recommended from the altar that there should be no opposition given to the valuers in the execution of their duty, and that

for yourselves, you have no need of our sanction.

Mr. Low.—This is a meeting for the purpose of bringing to justice the people concerned in these murders. It is no party business. The directions given from the altar by the clergy to give no resistance to the valuers had all the required advantages of publicity.

Rev. Mr. O'Keefe.—The clergy were always anxious and endeavoured to impress on the minds of the people obedience to the authorities placed over them, and he thought that sufficient.

Mr. Low would think himself blameable, if he did not give the clergy an opportunity of joining with them.

Rev. Mr. O'Keefe felt indebted for his kindness. As the magistrates had not asked for their co-operation heretofore, which they were always ready to give, it seemed extraordinary that they should call upon them now.

Chairman.—The one is essential, and the other is implied, as the mere directing of the people was not sufficient.

Rev. Mr. O'Keefe.—That is a mere matter of opinion. You may hold yours, and I will hold mine.

Mr. Low.—Your clerical capacity should not prevent you joining in bringing the offenders to justice.

Rev. Mr. O'Keefe.—The people already know how we hold in abhorrence such murders.

Mr. Low.—The very thing that led to the death of those men was the admonition given from the altar; as it was resting on the delusion that they would be safe, that they went to value.

Rev. Mr. O'Keefe.—That could not be the case, as Mr. Dames

swore they were forewarned by the shouting of the people the day before.

Mr. Low.—In this instance it was unfortunate, as it was on your recommendation they went out. I dare say your exertions have considerable effect, but nothing will be so effective as force.

Rev. Mr. Power.—The valuers did not come to consult me as to the propriety or impropriety of their going to value the tithe. It could not be deduced from my words that I recommended them to go to make the valuation, which evidently would be attended with danger, on account of the popular feeling against it.

Chairman.—We have invited you to join us, and it rests with you to do so or not.

The proceedings closed here, and the clergymen withdrew, without complying with the wishes of the meeting.

— MORALITY OF THE PRESS.  
—In reference to the recent numerous murders in Ireland, the *Times* of the 28th inst. makes, with great *naiveté*, the following observations:—

“Of the tithe-system we have spoken frequently, and by no means in praise of it. But a series of cold-blooded and savage murders of individuals, taken unawares and unresisting, seems not much less criminal than a demand of tithes under the Composition Act.” Thus, “cold-blooded and savage murder” is less criminal than a demand of tithes by the person whose property they are.

23. EXPLOSION OF GAS AT SPITALFIELDS CHURCH.—An explosion of gas took place at the parish-church of Christ-church, Spitalfields. During the evening there was a smell of gas.

Upon the conclusion of the service, the gas was turned off, and Mr. Welby, one of the churchwardens, accompanied by Almond the beadle entered the pew, to examine the part near the siphon. The escaped gas had filled the space between the raised floor of the pew and the masonry beneath, and upon the approach of a lighted candle carried by the beadle, was instantly followed by an explosion. The thick boards which composed the flooring of the pew were torn into fragments, the substantial oak frame-work of that and the adjacent pews thrown down, and the doors of the pews raised from their hinges, and thrown into the body of the church.

26. FUNERAL OF SIR WALTER SCOTT.—This day the remains of Sir Walter Scott were consigned to the tomb. Cards had been issued to nearly 300 persons, who almost all attended. The company having partaken of refreshments, adjourned to the library, where they heard an eloquent and affecting prayer from Principal Baird; and a little after two o'clock the procession, consisting of carriages, numerous other vehicles, and horsemen, began to move from Abbotsford, and proceeded through the towns of Darnick and Melrose, and by the Fly-bridge to Dryburgh-abbey. As the long funeral train passed through the villages and hamlets, groups of people were assembled at different parts of the road and on elevated points from which a view could be obtained. Most of them were in mourning, and many standing uncovered. In passing through the towns, these respectful observances were still more striking. The streets at Melrose were lined on both sides with the inhabitants in mourning, and

uncovered. The shops of that and other towns were shut: the sign-boards were covered with black; the aged and the lame came forth to pay their last tribute to departed worth; and along the many miles of picturesque country which the procession had to traverse, the ensigns of sorrow were every where displayed. These were the unbought and voluntary testimonies to the private virtues of the deceased from those among whom he had lived, and by whom he was best known. At Dryburgh-abbey the body, on being taken from the hearse, was borne by his own domestics to the grave, they having specifically requested that no strange hand should be allowed to touch the remains of a master so honoured and so beloved. Before the body was committed to the earth, the English burial service was read by the Rev. J. Williams, rector of the Edinburgh Academy. The spot, in which Sir Walter Scott is laid, is in the north wing of the splendid ruin of Dryburgh-abbey.

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## OCTOBER.

THE TRADE OF CEYLON.—The following notice has been issued by order of the Lords Commissioners of his Majesty's Treasury regarding the monopoly in the cinnamon trade of Ceylon:—

“Notice is hereby given, that the Lords Commissioners of his Majesty's treasury, having taken into consideration the general financial and commercial relations and prospects of the colony of Ceylon, have determined, in connexion with other arrangements relating to the public establishment and revenue of that island, that the general monopoly of

cinnamon shall be relinquished, and the trade in that article thrown open to the inhabitants of Ceylon. It is accordingly intended, that the general exportation of cinnamon from Ceylon shall be permitted, on payment of an export duty, which will be fixed, with reference to the prices usually obtained for it at the government sales in this country, regard being had to the cost of production and of consignment hither. No sale, however, of cinnamon on government account shall take place at Ceylon, nor any export of cinnamon from the island on private account be permitted, until the 10th of July, 1833, so that the purchasers of cinnamon (calculating that the stock in warehouse here, consisting of 4688 bales, such stock including the 1300 bales brought forward for sale on the 15th inst., will almost supply the average demand in this country to the usual periodical sale of July next), will be placed on the same footing, and their interests equally protected, as they would be if the usual sale of the following October were to take place, and accordingly the export of cinnamon from Ceylon will be permitted as above stated, from and after the 10th of July, 1833, as from and after the same date periodical sales will be held at the island of such cinnamon as, notwithstanding the abolition of the monopoly, may unavoidably come into the hands of the colonial government. It is hereby further directed, that any portion of the government stock here which may remain undisposed of after the 10th of July, 1833, will be sold subsequently at public sale, or in any other manner as may appear most advisable."

The following is a statement of  
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the quantity of cinnamon sold for the Ceylon government in the three last years, viz.:—In 1830, 4805 bales; in 1831, 5669 bales; and in the present year, 5502 bales.

6. DRURY-LANE THEATRE.—The Factory Girl, a domestic drama, from the pen of Mr. Jerrold, was brought out on Saturday evening, but failed. The fable is sufficiently simple, and in some parts not a little absurd. Skelton (Mr. Serle), has, early in life, espoused the sister of Old Hartman (Mr. Younge), against the consent of her friends, who, in consequence, frown on her. Fortune is equally unpropitious, and, anxious to better his condition, Skelton removes from his native place to Yorkshire. His misery is here augmented by the death of his wife. Employed, together with his children, in the factory of Ridley (Mr. Yarnold), he, in a moment of excitation, occasioned by the brutal conduct of Husk (Mr. Mathews), the overseer of the factory, towards one of the children, strikes the ruffian to the earth. His dismissal, and his unceasing persecution by Husk, are the consequences of his rashness. On the death of his wife he has found in her trunk a number of tulip bulbs, together with a letter from her mother. These bulbs he cultivates with the utmost care. The tulips, which are of a most rare and beautiful description, flourish, and Skelton, who is considerably in debt, hearing that a tulip-show is about to take place at Ridley's, determines to become a competitor for the prize of twenty guineas, a sum that would save him from incarceration. He directs Catherine, his daughter, "the factory girl," (Miss Phillips),  
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to carry his flowers to the exhibition. On her way thither, she is encountered by Husk, who, after coarsely chiding her on account of her absence, and the absence of her almost infant brothers, from their laborious occupation, when he hears the errand on which she is employed, forcibly seizes the tulips, for the purpose of frustrating the intentions of Skelton. In the mean time, Old Hartman and his son Jans (Mr. Baker) arrive on a visit to Ridley. Hartman has long been a denizen of America, where he has realized an ample fortune. The young man happens to encounter the handsome "factory girl," and immediately feels an unusual interest in her fate. He is invited, after the merry-making which follows an inspection of the cotton works, to accommodate himself for the night in the overseer's apartment. Husk, who has observed the eagerness with which the young man has regarded Catherine, by a double untruth effects an interview between them, in the hope that it will end in the seduction of the young woman. Previous to this interview, however, Skelton, alarmed at his daughter's long absence, finds his way to the factory, having first borrowed from Wynkyn de Worde (Mr. Harley), an itinerant dispenser of literature, and lineal descendant of the great typographer, a lantern, by the light of which the said Wynkyn, before he retired to rest under a hedge, was wont to read some useful or entertaining work. Skelton steals into the overseer's room, and is dreadfully agitated when he sees his daughter, accompanied by young Hartman, approach. He conceals himself, and is rejoiced to

- the pure and virtuous sentiment of his daughter, who im-

plores the young man to succour her oppressed father. When Jans leaves the apartment, Skelton comes from his place of concealment; he perceives in two vases the tulips which, in the morning, he had intrusted to his daughter's care, and with which Husk had ornamented his own apartment. The distracted father calls on Catherine to explain how they came there; and she is compelled to reveal to him the conduct of Husk, which, fearful of the violence of her father's temper, she had hitherto refrained from doing. He orders her to retire; and, on the entrance of Husk, upbraids him with his villainous conduct. Skelton now retreats, having first taken the precaution to lock up the overseer, who is, however, immediately afterwards liberated by Wynkin de Worde. Skelton, who is now pursued by his arch enemy, misses his way, and finds himself in the interior of the factory. Hearing the footsteps of Husk, he conceals himself under a heap of cotton, where, without his knowledge, his two young children had previously retired to rest. An alarm is now given that there are incendiaries about the factory. Ridley, to whom an appeal has been made by young Hartman on behalf of Skelton, at this moment arrives on the spot. He directs that every corner shall be searched for the imaginary incendiaries, and Skelton is dragged from his hiding-place, where Wynkyn's lantern and fire-box are also found. The conclusion, of course, is, that he had concealed himself for the purpose of firing the building. That presumption is, however, put an end to, when his children are found sleeping amongst the cotton. It was obvious that he would not



seek thus to destroy his offspring. Called on to explain the reason of his concealment, Skelton recounts the story of his wrongs. At this critical conjuncture Wynkyn enters. He had taken from the overseer's room several of the tulips, which in a paroxysm of rage, Skelton had dashed upon the floor. The moment Old Hartman observes the flowers, he recognizes them as being of a most curious kind, specimens of which his deceased father had alone possessed; and he eagerly inquires of Skelton how he had procured the bulbs. Skelton imparts the information required with respect to the tulips;—this, together with the production of the letter which accompanied the bulbs, and of a bible which Hartman had formerly presented to his sister, establishes the poor spinner's near relationship to the wealthy merchant, who receives him with the utmost joy. Husk, who ought in reality to have been sent to the county gaol, is simply dismissed from his situation; Catherine and her newly-found cousin, Jans, are united; and ample provision is made for the future welfare of the grateful and virtuous Skelton.

8. IRELAND. — AFFRAY BETWEEN THE POLICE AND THE PEASANTRY. — The police, while attempting to post up tithe notices at Mooncoin, were compelled to retreat under the protection of the Rev. Mr. Carroll, P.P. of Waterford. Having failed in executing the duty assigned to them, Captain Burke, was directed to undertake the posting of the notices; for which purpose he marched about nine o'clock on Monday morning, from Pilltown, with thirty of the police belonging to that district, towards Rathkeeran, a village,

about six miles distant on the Waterford road. On his way thither he passed through the villages of Mount Neal and Portnahully, in each of which places the necessary notices were posted. Previous to entering the latter village, Mr. Burke observed the people gathering in various directions, and gradually closing round the party. Finding that the numbers were fast increasing, Mr. Burke prudently placed his men in a close column of sections, and put them under the command of steady and experienced constables, giving the strictest orders not to fire except in case of imminent peril, and then only by his direction. In this order they passed through Portnahully, amidst the yells of the peasantry, numbers of whom cried out repeatedly "Car-rickshock" — "Gibbons" — "Do your best; we are ready for you," and uttered many other similar expressions. The constabulary, however, took no notice of this insulting and irritating conduct evinced by the mob towards them, but moved on until they passed through Portnahully, when the crowd pressed so closely upon them, that Mr. Burke was obliged to take immediate measures for the protection of his flanks; he then rode up to the people; warned them of the ill consequences of their attempting to oppose him in the execution of an imperative duty, and told them, that, if they persisted, he should be compelled to order his men to fire upon them; he repeatedly implored them not to lay him under the painful necessity of resorting to extreme measures. His remonstrances were met on the part of the people by expressions of defiance and insult. After this the police were again in the act of proceeding

Neuville. M. Berryer, at Paris, was certainly known to be charged with the pecuniary interests of the exiled family. It was ascertained that, while the Duchess of Berry was making preparations at Massa, to land at Marseilles, M. Berryer kept up with her a culpable correspondence, and used his influence to attach to her cause several officers of rank. Towards the end of March, or the beginning of April, M. Tournier, formerly Lieutenant-colonel of the first regiment of *Volontaires de la Charte*, was recommended to M. Berryer, by some ex-officers of the Guard, who took advantage of his dissatisfaction with the present government. M. Berryer promised to obtain for him—first, the rank of colonel, and afterwards that of major-general, if he would serve the cause of the Duchess of Berry. M. Berryer disclosed to him the object of the plot, and charged him with taking possession of the public offices and the Tuileries, in order to secure the persons of the King and the Princes. M. Tournier, a few days after these proceedings, had an interview with M. Berryer, junior, when he received from him two bank notes of 500 francs each, for the men whom M. Tournier, said he could dispose of; he also received a promise of further supplies of money. About twenty days after, in a third interview with M. Berryer, M. Tournier was informed of four commissions having been received by the former from Massa. The commission destined for M. Tournier was the only one written entirely by the hand of Marie Caroline. The three other commissions, destined for the brother of M. Tournier, M. Chartier, and M. Michonnet, had only the following

words written by the hand of the Princess, "Approved, Marie Caroline." M. Berryer denies having any knowledge of M. Tournier, or having ever had any connection with him. The writing of M. Tournier's commissions, compared with letters from the Duchess of Berry seized at Nantes, upon some of the principal legitimist conspirators, leaves no doubt in the minds of the examining magistrates at Nantes as to the identity of the hand which wrote these commissions and these letters. A special verification will complete the proof whether the Duchess of Berry really formed the characters which are attributed to her.

"At about this period the Prefect of police received notice that several meetings of legitimate chiefs had been held at Paris, and that at one of these meetings it had been proposed to constitute a provisional government, to be composed of the Duke de Bellune and Messrs. de Chateaubriand, Hyde de Neuville, and Berryer, junior, with M. Charboniere de la Guernerie for secretary, and that the sum of 70,000 francs had been disbursed in the purchase of arms, and the distribution of money to the agents of the plot. On the 20th of May, M. Berryer, as he had announced to M. Tournier, set out from Paris in his caleche, having only a passport made out for England, which was granted to him on the 7th June, 1831, authorising him to embark at Calais, with his son aged 19. He arrived at Nantes on the 22nd May, about eight in the morning, and alighted at the house of his friend, M. Granville. He immediately entered into communication with M. Guibourg, an advocate of Nantes, one of the immediate agents of the Duchess of

excite civil war by arming or inducing the citizens to take up arms against each other, or to carry devastation, massacre, and pillage into one or more communes; the fact of his so being an accomplice resulting from the circumstances of the said P. A. Berryer, the younger, having knowingly given aid or assistance to the author or authors of these attempts or plots, in the acts which prepared and facilitated them, or in those by which they were consummated; crimes signalised and punishable by Arts. 59. 60, 87, 88, 89, and 91 of the Penal Code. 2nd, Of having enrolled or engaged soldiers without the order or authority of the legitimate power, or, at any rate, of having attempted so to do, such attempt being manifested by overt-acts, and followed by a commencement of execution, which only failed in consequence of fortuitous circumstances, independent of the volition of the said P. A. Berryer, the younger; crimes signalized and punishable by the 2nd and 92nd articles of the Penal Code." Dated from the Cour Royale of Rennes, the 20th of August, 1832, and signed by M. Hello, the Procureur General.

Having heard evidence on all these points, and arguments of counsel, the jury deliberated for a short time, after which they acquitted the prisoner.

13. IRON STEAM-VESSEL.—An iron steam-boat, built for the East-India Company, and intended to be employed as a towing-vessel on the Ganges, was brought to the East-India wharf, Blackwall, where the Chairman, and several members of the Court of Directors, accompanied by some scientific men, embarked and proceeded down the river. Her draught was exactly

twenty-two inches, fore and aft. The vessel answered the helm admirably in coming round: she turned in her own length completely round in fifty seconds. It was next intended to try the working of the machinery, in "starting, stopping, and reversing." An accident showed how complete the vessel was in this respect: a small boat which came along-side, and incautiously attempted to make fast to the fore part of the vessel on the weather side, while she was under way, was very nearly brought under the paddle-wheel, and would most certainly have been destroyed, with probably the two men on board, had not the command to "stop her" been promptly given and as promptly obeyed. The rapidity with which this was done proved the perfect working of the machinery. The next trial was that of speed. She went a mile against tide in eight minutes and fifty-three seconds. In a subsequent trial she went the same distance against tide in eight minutes and twenty-one seconds, and with tide in five minutes forty-seven seconds. It was intended to have made several other experiments as to the vessel's power of towing: but a large brig ran foul of her, carrying away two of her chimney-stays, the whole of the life rail on the after quarter, the tiller and rudder-head, lifting the rudder, and straining and bending the pintles. This accident, though it prevented other experiments from being made, was not without its use; as it showed the solidity and strength of the iron-work in the body of the vessel, which was not in any the slightest degree affected by the shock. It also showed the facility with which damage might be repaired in a vessel of iron, for,

had characterised his deportment throughout the proceedings; and, on leaving the dock, said, "I am sackless of the crime, and I have to thank God for it."

26. ACCIDENT IN YORK-STREET, WESTMINSTER.—This morning, about half-past eight o'clock, several persons perished in York-street, near Buckingham-gate, Westminster, by the falling-in of the roofs of two houses, No. 25, occupied by Mr. Jossens, a coffee shop, and No. 26, occupied by Mr. Phillips, a furniture broker. Both houses were full of lodgers, chiefly persons in humble circumstances with large families; and the accident was so sudden that none of the inmates had time to escape. The roof gave way with a tremendous crash, and carried away all the floors in both houses, so that the inmates were almost in an instant buried in a pile of rubbish. In a few minutes Mr. Lowry, the superintendent of the B division of police, with a body of men, was on the spot, and succeeded in keeping off the crowd, while a number of inhabitants assisted in clearing away the rubbish. The overseers of the parish immediately set a number of hands to work, with baskets and shovels, and in a short time thirteen individuals were dug out alive. Unfortunately, however, six of them were so severely injured, that they were conveyed to the Westminster Hospital: the others were but slightly injured. Three bodies were dug out dead, mangled in a most dreadful manner. A journeyman tailor, named Perry, and his wife, who lodged with his family in the back room on the first floor, had a most miraculous escape. He had just sat down to breakfast with his wife and children, when he heard a sort of rumbling

noise, as if rats and mice were running behind the wainscot, when almost in an instant the ceiling and floor gave way, and they were all buried in the rubbish. By some means Perry and his wife got through an opening into a cellar, and were saved with only some slight injuries; but his two children could not be found. At length, a little after three o'clock, a moaning noise was heard, by one of the men, underneath the spot where he was working. Every attention was now paid to this spot and the overseers and police encouraged the men to exert themselves to the utmost. At half-past four o'clock the bodies of the two children were found; the eldest, a little girl, about eight years of age, was dead; the other, a boy about three years of age, was alive, and had received only a few trifling scratches about the face and arms. Mr. Green, the surgeon, and one of the overseers of the parish, took the child in his arms, and spoke to it, but it would give no other answer except that it was very hungry, and wanted something to eat. The child was taken out of the ruins exactly nine hours after the catastrophe had occurred.

An elderly female had a most extraordinary escape—she occupied one of the upper rooms, and a small portion of the flooring where she was standing when the roof broke in did not give way. A ladder was procured, and she was with great difficulty taken out of the window.

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## NOVEMBER.

1. STEAM COMMUNICATION WITH INDIA.—The following official correspondence on this im-

portant subject has taken place:

“ 8, Austin-friars, Oct. 23.

“ Sir,—At the request of the merchants of London, connected with the East-India trade, and by desire of the committee of the same, I take the liberty of calling the attention of the Lords Commissioners of the Admiralty to the expediency of directing the admiral on the Mediterranean station to place the communication between Malta and Alexandria on a permanent footing, by which means the mails from Bombay, brought by the steamers from thence, may be regularly forwarded to Malta with as little delay as possible.

“ I am also directed to state that, as official notice has been given by the government of Bombay that a steamer will be despatched on the 1st of January, 1833, from that presidency to Cossier, which place it may be expected to reach early in February next, the merchants of London trust, that their lordships will be pleased to give directions for some conveyance to be despatched from Malta to Alexandria to receive the mails and passengers about the time they may arrive at the latter place, after crossing the Isthmus of Suez, in anticipation of any permanent arrangements, should the details of such a measure require further consideration.

“ In proof of the necessity of some arrangement of the nature proposed, it may be proper to acquaint their lordships that the last mails by this route were detained thirty days at Alexandria before an opportunity offered to convey them to Malta. I have the honour to be, sir, your most obedient servant,

“ G. G. de H. LARPENT,  
Chairman of the East-India Trade

Committee.

“ John Barrow, Esq. Secretary, &c., to the Admiralty.”

—  
“ 53, Old Broad-street, Oct. 23.

“ Sir,—I have the honour to hand you the accompanying copy of a letter addressed by the East-India Trade Committee to the Lords Commissioners of the Admiralty, on the expediency of establishing a regular communication between Alexandria and Malta, so that the mails from Bombay brought by the steamers to the Red Sea, may, on their arrival at Alexandria, be forwarded from thence with the earliest despatch. The necessity of such a measure to ensure the more speedy intercourse between India and this country, now attempted by means of steam-navigation, is so obvious, that the committee entertain the hope that the Board of Commissioners for the Affairs of India will interest themselves in the furtherance of so desirable an object. I have the honour to be, sir,

“ Your most obedient servant,

“ JOHN BEGBIE,  
Secretary to the East-India Trade Committee.

“ T. Hyde Villiers, Esq M.P.,  
Secretary &c., to the India Board.”

—  
“ Admiralty, Oct. 24.

“ Sir,—I am commanded by my Lords commissioners of the Admiralty to acknowledge the receipt of your letter of the 23rd instant, and to acquaint you, in return, that their lordships having made inquiries on the subject of the steam-vessel announced to sail from Bombay to Cossier on the 1st of January, 1833, they find that it has been customary for some years past, annually about that season,



for the Bombay government to despatch up the Red Sea either one of their men of war or a steam-vessel for the purpose of carrying letters and passengers, which are landed at Cossier or Suez, postage for letters or passage money being paid at an established rate to the East-India Company at Bombay. The letters are then forwarded across the Desert to the East-India Company's agent at Alexandria, who forwards them either by Trieste or Marseilles, or sends them to Malta for the purpose of meeting the Mediterranean steam-vessel. At present this takes place only once in every year, and although their lordships are well aware of the great advantages to be derived from a more frequent communication with the East Indies by this route, they fear nothing can be arranged with regard to the establishment of a steam-vessel from Alexandria to Malta until the questions pending with the East-India Company are finally settled, and arrangements made for the more frequent and regular sailing of steam-vessels from Bombay to Suez. I am, sir,

"Your most obedient servant,

"JOHN BARROW.

"G. Golett Larpent, Esq.

Chairman of the East-India Trade Committee, 8, Austin-friars."

—

"8, Austin-friars, Oct. 25.

"Sir,—By desire of the merchants trading to the East Indies, I have the honour to enclose copies of a correspondence between myself and Mr. Secretary Barrow, relative to the establishment of a permanent communication between Alexandria and Malta, for the conveyance of the mails and passengers that may reach the former place by the steamers to be de-

spatched by the Bombay government up the Red Sea to Cossier, and thence across the Isthmus of Suez.

"By the tenor of Mr. Secretary Barrow's letter, it is obvious that his Majesty's government, though well aware of the great advantages to be derived from a more frequent communication with the East Indies by this route, are not prepared to make any permanent arrangement unless in conjunction with the Hon. East-India Company, and seem to consider that the first step towards such a beneficial measure would be for the East-India Company to settle with their Bombay government for the more frequent and regular sailing of steam-vessels from Bombay to Suez. It also appears that at present the transmission of mails from Alexandria rests entirely with the Hon. Company's agent at that place.

"Under these circumstances, the merchants of London, connected with the East Indies have to request you will lay these letters before the Hon. Court of Directors, and take their pleasure at the earliest convenience upon the following points:—

"1. Whether the Hon. Company is prepared to direct their agent at Alexandria to have a conveyance ready at Alexandria to take the mails and passengers that may arrive there in February next by the steamer, of the despatch of which from Bombay on the 1st of January official notice has been given? The merchants trust that as a delay of thirty days was experienced on a former occasion, the Hon. Company will prevent the recurrence of a similar detention of the mails.

"2. Whether the Hon. Co



have made any arrangements for the more frequent and regular despatch of steamers from Bombay?

“3. Whether in the pending arrangements between his Majesty’s government and the East-India Company, this subject, so important to the commercial, as well as the political interests of British India, is in a train of settlement?”

“I am also directed to mention that the merchants of Liverpool have likewise brought the subject before his Majesty’s government; and that if the Hon. Company will be pleased to entertain the question, the merchants of London will have great pleasure in giving their best assistance, in co-operation with the other commercial bodies in the kingdom, towards the establishment of a regular, permanent, and frequent intercourse with India, through the channel of the Red Sea and Egypt. I have the honour, &c.

“G. G. de H. LARPENT,  
Chairman East-India Trade Committee.

“To Peter Auber, Esq. Secretary,  
&c. India House.”

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“India Board, Nov. 5.

“Sir.—I am directed by the Commissioners for the Affairs of India to acknowledge the receipt of your letter of the 23rd ult., on the expediency of establishing a regular communication between Alexandria and Malta, in order that the mails brought from Bombay may be forwarded from thence without delay; and I have to inform you that the board have transmitted your application, with their favourable recommendation, to Viscount Goderich. I am, sir, your most obedient and humble servant,

“T. HYDE VILLIERS.

“John Begbie, Esq. Secretary to the East India Trade Committee.”

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“East India House, Nov. 8.

“Sir,—I have laid before the Court of Directors of the East-India Company your letter of the 25th of October, on the subject of communication by means of steam-vessels between England and India, by the Mediterranean and the Red Sea; and in reply I am commanded to inform you that the court, after a long and careful consideration of the subject, have been convinced that no advantage commensurate with the expense, as far as past experiments have shown, can arise from the establishment of steam-packets on that line, and that accordingly, in a despatch dated the 14th of March, 1832, they informed the Bombay government that they should not authorize any further steps in the matter, at the same time intimating their own intention, and directing the Bombay government, to prosecute inquiries into the practicability of effecting the end in view at a reasonable expense.

“As the official notification that the Hugh Lindsay would sail from Bombay for Cossier or Suez on the 1st of January next was issued by the Bombay government in May, it is possible that on the subsequent receipt of the Court’s despatch of March that notification may have been revoked. I am, sir, your most obedient, humble servant,

“P. AUBER, Secretary.

“To G. G. de H. Larpent, Esq.”

2. CORK ASSIZES.—This day the Trial of Major-General Sir George Bingham, for an Assault on, and False Imprisonment of, James Hodnett, Esq. came on before Mr. Justice Moore. When

about a dozen jurymen had been set aside, on the challenge of Mr. O'Connell, counsel for the prosecution, by the peremptory privilege of the Crown,

Mr. G. Bennett said—My Lord, if they go on in this way, we may as well let the gentlemen on the other side pick out their own jury.

Mr. Justice Moore.—This is certainly an exhibition which no judge ever witnessed from a bench before. To set aside such an array of gentlemen on a trial for common assault—is an abuse of the privileges of the Crown.

Mr. Bennett.—I have for a long time gone this circuit, and in all that time, I can safely say, I never witnessed such a proceeding. In all the important public trials which took place this assizes, the Crown solicitor never set aside more than two or three during the whole assizes.

Mr. Justice Moore.—It is an abuse of the privilege of the Crown.

Sir George Bingham was then given in charge to the jury, for assaulting and falsely imprisoning James Hodnett, on the 22nd of July, at Ballycaskin, in the county of Cork.

James Hodnett examined.—On Sunday, the 22nd of July, I was at Ballycaskin, near Whitechurch, about 12 or 1. I went to the rev. Mr. Begley's, the Roman Catholic curate of Carrignavar, at 1; and from his house, after he had said mass, and we had breakfasted along with a Mr. Ahern, we rode to see a round tower raised by the Rev. Mr. Horgan at Whitechurch. Before we reached Whitechurch, I saw on the road a number of Lancers coming towards us; I knew they were Lancers by their pennons. On seeing them, Mr. Ahern said, "Good God, here are the Lancers!" I said, "What harm?

Let them come." When we came to the turn of the road, I saw Sir George Bingham with the troops come on at a hard trot towards me. I moved on the right side of the road to let them pass; but Sir George advanced about half his horse's length before the party, and said to me—I can't say whether he said General or Mr. "Hodnett, where's your drum-major's staff? Where's your drum-major's cap and paraphernalia?" I said I had neither one nor the other, and that if I had thought it necessary, I would have had them in my pocket, or rather something about I'd have the cap in my pocket. On that he turned about to the party of Lancers, and said to them, "There he is—the head of the rebels—cut him down—cut him down—ride him down—ride him down." On this order being given, the Lancers formed into a semicircle, and bore me with tremendous force into the dike. I was in consequence thrust near Sir G. Bingham.

A Juror.—Were they going very hard at that time?—Yes, very rapidly; they wheeled round very rapidly when the order was given.

Juror. — Were they in motion, when Sir George Bingham first came up to you?—They halted when they came up to me. On this my horse plunged, and while thus, I think I saw something like a sword strike my hat on the front of the leaf.

Mr. O'Connell.—Was the hat cut?—It was.

A Juror.—Did you see the stroke and the instrument that struck you?—I can't exactly say. The leaf of the hat was divided. My horse got five wounds in the scuffle—three blood wounds and two dangerous ones—one on the

shoulder, one on the flank, and one on the fundament. The latter was inflicted with a lance, and the veterinary surgeon, in whose care I placed him, said it was a dangerous wound. I went from thence with the General and the military to Carrignavar. While in the dike I was laid hold on — caught by Sir George by the collar of the coat. I do not mean to swear that it was done with the view of injuring me; but rather that it was caused by the confusion in which he appeared to be. This was subsequent to his addressing me as I described, and before a serjeant or corporal of the troop had put his foot under my leg in the stirrup, with the intention of pitching me off my horse. As I said, I was driven from thence to Carrignavar, completely against my will. After the General had said to me that I must retrace my steps, I had presence of mind sufficient to pull out my watch and ascertain the hour. When I got to Carrignavar I did the same, and I found I had been  $23\frac{1}{2}$  minutes in custody. Carrignavar is three-fourths of a mile from the place where I was attacked. After we had got to Carrignavar, I was kept in custody for some time. I asked General Bingham was there a warrant out against me, but he would give me no answer. I went away then.

Cross-examined by Mr. G. Bennett.—I think the General asked you for your drum-major's cap and staff?—He did.

Had you them with you?—No.

You have a drum-major?—There is a man who goes with the band, who is called so by the people.

Oh! then you have a band in your concern?—Why, not exactly in my concern, though they partly

are, for nine or ten of them are in my employment.

Then you have a band and a drum-major — Now, how is the drum-major dressed?—He has an old helmet, which belonged to the Scotch Greys, with orange and green trimmings on it.

Oh, then, he had a helmet with party colours?

Mr. O'Connell. — No; fancy colours; the orange neutralises the green.

Witness. — Fancy colours, not party colours.

Had he any uniform?—He had some braiding like epaulets on his shoulders.

Had your band any uniform?—Yes, a kind of scarf, which they wore at Mr. O'Connell's procession; they were of the same colours.

Oh, we're not talking of Mr. O'Connell's procession now; but did they ever wear them elsewhere?—No. I did not see them elsewhere on any but on two boys.

Boys! Oh, then, these were boys, too?—Yes, two boys.

You were at a good many public meetings, I'll not say for what purpose, with your band?—I was, and will be again, I hope, when my seven years have expired.

[Mr. Hodnett had been convicted a few days before of attending an illegal anti-tithe meeting, and part of his sentence was to keep the peace for seven years.]

Where there were a great many people? — Yes, at some, thirty, and forty, and fifty, and sixty thousand.

And you had your band and your drum-major there? — Yes, sometimes. How many more?—About six or seven.

Oh, you're not doing yourself justice, I'm afraid. Now is that

all you attended?—Tithe meetings do you mean?

Open air meetings?—No.

You attended one on the 27th of May?—I did.

The object of which was to prevent the sale of cattle distrained for tithe?—No. I desired no one not to buy.

Mr. Bennett.—You were aware, Mr. Hodnett, for what cause you were arrested?—I was not.

You are apprised now?—Yes.

When Sir George Bingham asked you for your drum-major's cap and staff, what did you say?—I felt annoyed and hurt, and said, rather in a joke, if I thought it necessary I would bring them in my pocket.

You felt annoyed you say?—Yes; because I had always a high respect for Sir George, in consequence of my brother-in-law serving under him, and his always saying how kind he was to him.

How kind he was to him?—Yes. It is a wonder my brother-in-law was not with me that day. I was going to bring him with me; but if he came with me, I suppose he would lose his commission.

Did Sir George ask you what brought you there that day.—No.

When you found he stopped you, did you tell him you were only going to see the round tower?—No.

Or what brought you to that part of the country?—No.

Did you say anything at all to him?—No.

Sir George Bingham has been here for several years?—Yes.

This is the first complaint that has ever been made of him?—Yes, that I heard; and I'm very sorry for it.

He is respected by people of all persuasions and parties?—Yes.

Until this, no general in the Cork district was ever more liked.

He is not so well liked since?—'Pon my word, I think not.

But his object was the peace of the country?—I always perceived it.

He has the command of a great many troops?—Yes.

You knew Sir George Bingham?—I did. I travelled home in the steam-packet from Dublin with him.

You were civil to each other; dined at the same table?—Yes.

How long before the present charge?—About three weeks.

He was kind and civil you say?—Yes. My brother-in-law always spoke of his kindness to him on all occasions.

Had he any personal hatred to you, do you think?—I should hope not, either then or now.

But you admit, that whatever he did to you, he did no more than his duty?—I think he did—I think he lost his temper.

But he was doing his duty?—I don't know what you call his duty; was it his duty to cut me down?

The Rev. Mr. Begley and another witness corroborated the facts of the assault.

Mr. Bennett addressed the jury for the traverser.

Thomas Ronayne Sarsfield, Esq.,—I am a magistrate of the county. On Sunday, the 22nd of July, I was at Whitechurch, with many other magistrates. Sir George Bingham came with the military to assist the magistrates in keeping the peace.

Mr. O'Connell.—Do you know that, Sir, from your own knowledge?—No, I do not.

There were many magistrates of the county there?—Yes.

Had you any information from any one?

Witness.—A person came to me while we were in the field at Whitechurch.

Mr. O'Connell.—I object to his repeating what the person said.

Mr. Justice Moore.—Was the communication made generally?—I think it was, my Lord. I think the body of the magistrates was there.

Mr. O'Connell.—Here is an individual who imagined something, and told the magistrates of his imaginations. Is Mr. Hodnett, or any of us, in that kind of country, where, because some person says something to some magistrate or other, his life and liberty are to be endangered, and he is to be ridden over or cut down; for that is the question?

Mr. Justice Moore.—I think it quite enough for the justification of this gentleman and the magistrates, that they got some information, no matter how or from whom, that danger was to be apprehended from illegal meetings; and therefore the arrest of Mr. Hodnett was perfectly legal. If a magistrate apprehends mischief any where, he may go there.

Witness.—A communication was made to me and the magistrates, and from it we supposed and believed that an illegal meeting was to take place. We attended to preserve the peace, which we thought seriously trifled with. After I had received the communication I spoke of, I went to Carrignavar with the other magistrate, the General, and the military. I rode beside Sir G. Bingham all the way. About a quarter of a mile beyond the bounds of the county, I saw, at an angle of the road, two men on

horseback, and a great crowd of people behind them. I said to Sir George, "I suppose these are the persons?" "Yes," said Sir George, "'tis Hodnett; I know him." When we came close to these two men, Sir George and the troop of Lancers pulled up, and Sir George said to Mr. Hodnett, "Mr. Hodnett, I was looking for you, you must go back; where's your drum-major's cap and staff?" Mr. Hodnett did not appear to me to pay any attention to what the General said; but he made some observations about his being stopped. He appeared to be pushing his way through the Lancers—he could not pass without doing so—so much so that he got among them. Sir George further said, "I arrest you." This was, I think, after he had pushed in among the Lancers, who had halted.—Mr. Hodnett appeared to pay no attention to the General's command, but to push on among the troops. "Well" says Sir George, "then ride him down."

Witness.—After that, one of the Lancers pushed the quarter of his horse against Mr. Hodnett's horse, and thrust him against the roadside. Mr. Hodnett then said, "I'll go where you please." I did not hear Sir George say, "Cut him down." I was near him all through, and I think it is impossible he could have said so without my hearing him. I conceived Sir George to be acting at the time under the civil authority. I don't know whether any one had given him an order to arrest Mr. Hodnett. Mr. Hodnett returned to Carrignavar, and I rode all the way with him.

Cross-examined by Mr. O'Connell.—I'll not ask you any questions, Sir; you have proved my case.

I'll only confront you with the Rev. Mr. Begley. Mr. Begley, by virtue of your solemn oath, did or did not the General use the words "cut him down?"—On my solemn oath he did.

John Travers, Justice of Peace, gave evidence of the same nature as that of Mr. Sarsfield.

Sir A. Perrier, examined by the Hon. W. Plunket.—Was with the Mayor of Cork and other magistrates at Whitechurch. It was he and the Mayor who had ordered Sir G. Bingham and the military out.

James Besnard, Esq. — Was Mayor of Cork last July. A meeting was advertised at Whitechurch, at which he requested the attendance of Sir G. Bingham and the military, for the purpose of preventing or dispersing it.

Captain Berners, R. A. *ci devant* aide-de-camp to Sir G. Bingham, gave similar testimony, denying that the defendant used the words "Cut him down."

Mr. Justice Moore charged the jury, who then retired, but subsequently came into court more than once, to receive his Lordship's instructions or opinions upon points of law or fact.

At seven o'clock the jury came into their box for the last time, and returned a verdict of *Guilty*, with an expression of opinion that in making the assault no bodily harm was intended.

Here a tremendous shout burst from one of the most crowded courts ever seen, which was echoed by hundreds who thronged the neighbouring streets. Cries of "Shame, shame!" were raised in different parts.

Mr. Justice Moore.—Don't say shame; for the conduct now evinced before the Court cannot

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but excite the contempt and indignation of every good man. It is scandalous and most disgraceful conduct. The laws cannot be administered in a country where such disgraceful exhibitions are to be witnessed in a court of justice.

The Rev. Mr. Falvey.—My Lord, I beg to assure your Lordship that such an impression shall be made on the minds of the people of the impropriety of their conduct as shall prevent a recurrence of the scene.

Mr. Justice Moore.—Sir, no impressions can be made on them except by excitement. You excite them to acts of insubordination, and there you leave them.

Mr. Justice Moore then said—Sir George Bingham, I have a duty to perform—a duty the most painful that I ever felt during the long period of my public experience. I have not, Sir, the honour of knowing you, except by reputation, and that places you before your country as the representative of all the virtues that render character excellent. Your benevolence, your generosity, your philanthropy, your goodness of heart, and your amiability of mind, are known to all who have ever heard of you. The age of chivalry might well be said to have passed by, when you, Sir, because of your efforts in the discharge of your public duty to repress the excesses of the lawless, and preserve the peace and integrity of the country, receive such a recompense as this day's trial has shown. This transaction will not injure you, Sir. You now stand as untarnished in your high character as you have ever done, and I do hope that you are as little affected in your feelings at the result, as your distinguished name is unsullied. Was it for the sake  
I.



of preserving the peace of the country that this trial was had? The ominous and disgraceful scene we have just witnessed is the best answer I can give to the inquiry." He concluded by sentencing Sir George Bingham to pay a fine to the King of 6*d.* on each count.

5. A deputation, headed by Sir John Key, the Lord Mayor of London, waited upon Lords Grey, Althorp, and John Russell, to present their Lordships with gold cups, the produce of a penny subscription.

The foot of each cup represented the root of an oak, surrounded by the rose, shamrock, thistle, and leek. The stem on which the cup rested was the trunk of the oak, with branches rising on either side, which formed the handles. The body was ornamented with the rose, thistle, and shamrock, intermingled with the branches and leaves of the oak. On one side of the cup the arms and crest of each noble lord were engraved; and on the other side was engraved the following inscription, which, with the exception of the name, was the same on all the cups:

To the Right Hon. Charles  
Earl Grey, K. G.

First Lord of the Treasury,  
This Cup,

Purchased by a Penny Subscription of the Inhabitants of

London and the Metropolitan Districts, under the Patronage of  
The Right Hon. Sir John Key,  
Bart. Lord Mayor,

is presented, as a Testimonial of  
their high Admiration and Esteem,  
for his Noble and Patriotic

Conduct in procuring  
a Reform in the Commons House  
of Parliament;

and as a Memento, that  
a Minister best supports the

Dignity of the Crown,  
by insuring the Welfare and  
Happiness of the People.

The cover was surmounted by a crown, and sceptre, with the dove, the emblem of peace, supported on one side by the sword and scales of justice, and on the other by an open Bible, on the leaves of which is written "Take away the wicked from before the King, and his throne shall be established in righteousness."—Prov. ch. xxv. v. 5. On either side are emblematical devices, representing the two Houses of Parliament, resting upon the industry of the people, which is illustrated by the horn of plenty, and the implements of husbandry. Round the rim of the cover are the Bacchanalian symbols of joy and gladness.

A similar cup was presented to Lord Brougham.

7. The Duchess de Berri was arrested at Nantes. She was discovered in the chimney of a house in the Rue Haute du-Chateau, where she had been concealed with M. de Mesnard, Mademoiselle Kersabiec, and M. de Guibour. The search in that house lasted several hours. A mantelpiece was at last discovered, which was so contrived as to turn on a swivel, and form an opening which led to a small chamber. She was immediately arrested, and transferred to the fortress of Nantes, and thence to the castle of Blaye, situated upon the right bank of the Gironde, about seven leagues from Bordeaux, and nine from the tower or lighthouse of Cordovan, which stands at the mouth of the river.

9. *Tour of their Royal Highnesses the Duchess of Kent and the Princess Victoria.*—The Duchess of Kent and her daughter arrived at Kensington Palace, after an

interesting tour through some of the principal counties of England and Wales. After proceeding through North Wales, the Royal party passed through Cheshire, and on the 17th of Oct. visited the city of Chester; when the new bridge, which was opened on the occasion, was named by the young Princess "Grosvenor Bridge." After the ceremony, the royal party proceeded to the cathedral. On reaching the Chapter-house, the Bishop of Chester delivered an appropriate address to the Duchess, in reply to which her Royal Highness said:—"I cannot better allude to your good feeling towards the Princess, than by joining fervently in the wish that she may set an example in her conduct of that piety towards God and charity towards man, which is the only sure foundation either of individual happiness or national prosperity." The royal party then visited the Bishop's Palace, and after partaking of an elegant collation, set out on their return to Eaton. Before they quitted Chester a donation of 100*l.* in aid of the funds of the Chester Infirmary was enclosed to the Mayor. On the 19th Oct. the royal visitors took leave of Eaton Hall, the seat of Earl Grosvenor, and set out on their return to the south, and arrived at Chatsworth House the same evening. During the following week they visited Hardwick, Chesterfield, and Matlock; and on the 24th they proceeded to Shugborough in Staffordshire, the seat of the Earl of Lichfield, calling at Alton Abbey in their route, to partake of a *déjeuné* with the Earl of Shrewsbury. On the 26th they paid a visit to Lichfield, and inspected its stately Cathedral. Addresses were presented by the

municipal body and the clergy, to which gracious answers were returned. On the 27th their Royal Highnesses arrived at Pitchford Hall, the seat of the Earl of Liverpool, near Shrewsbury, where all the principal gentry of the county assembled to welcome their arrival. Lady Catherine Jenkinson, as one of the ladies in waiting to the Duchess of Kent, had accompanied their Royal Highnesses through North Wales. At Shrewsbury the Duchess and her daughter visited the grammar-school and infirmary. On the 3rd of Nov. their Royal Highnesses left Pitchford Hall, and proceeded, by way of Church Stretton, to Walcot Park, the seat of the Earl of Powis, and to Oakeley Park, the seat of the Hon. R. H. Clive, M. P.—On the 5th, they arrived at Hewell Grange, the residence of the Earl of Plymouth, in Worcestershire, passing through Ludlow, Tenbury, Worcester, Droitwich, and Bromsgrove.—On the 7th the royal cortège passed through Alcester and Woodstock, and arrived at Oxford at five in the evening; when they proceeded to Wytham, the mansion of the Earl of Abingdon, where they were received with all due honours. The following day the royal party paid a visit to the city and university of Oxford, under an escort of yeomanry. After visiting the divinity school they proceeded to the theatre, which was filled in every part. There were present the Vice-chancellor, Heads of Houses and Doctors, the noblemen in their splendid robes of purple and gold, the proctors, &c. The Vice-chancellor read an address suitable to the occasion, and the Duchess of Kent read the following answer:—"We close a most interesting journey by a visit to this Universi-

ty, that the Princess may see, as far as her years will allow, all that is interesting in it. The history of our country has taught her to know its importance, by the many distinguished persons who, by their character and talents, have been raised to eminence from the education they have received in it. Your loyalty to the King, and recollection of the favour you have enjoyed under the paternal sway of his House, could not fail, I was sure, to lead you to receive his niece with all the disposition you evince, to make this visit agreeable and instructive to her. It is my object to ensure by all the means in my power, her being so educated, as to meet the just expectation of all classes in this great and free country." Their Royal Highnesses then visited the Town Hall, and Council Chamber, both of which were handsomely fitted up for the occasion. After the royal party had visited the Town Hall, they proceeded with their suite to view the hall, library, and cathedral of Christ Church, attended by the Dean, Canons, Censors, &c.; thence they proceeded to the Bodleian Library, and picture gallery, the Radcliffe Library, All Souls', University College, and New College, and concluded their academical progress by visiting the university printing-office.

The next day their royal highnesses departed for Kensington Palace.

**SAVINGS' BANKS.**—A statistical table of the progress of Savings' Banks in England, Wales, and Ireland, up to November 1831, has been published lately, showing the number of banks in each county, with the increase and decrease of each class of depositors since November 1830. The total amount of

deposits in England is 12,161,607*l.* or nearly 1*l.* per head for each inhabitant; and in Ireland, 1,004,189*l.* The increase of the number of depositors in England, in the year, was 9,212, of which 8,698 were under 20*l.*; the increase in Ireland was 4,505, the largest proportion of which were under 50*l.*, and more than half these were in Dublin. The total amount of investments of Savings' Banks, Friendly and Charitable Societies, in England, Wales, and Ireland, is 14,311,647*l.*; showing the average amount of each depositor to be, in England, 32*l.*; in Wales, 31*l.*; and in Ireland, 31*l.*

**LOSS OF FISHING-BOATS.**—A dreadful calamity has lately befallen the inhabitants of the Shetland Isles, nineteen of their fishing-boats having foundered in a storm, whereby no less than 111 of the poor fishermen met a watery grave. So completely has the male population been swept from some of the villages, that the women have been compelled to take the places of their deceased husbands at the oar, in order to earn the means of subsistence for their starving children.

19. This day his Majesty Louis-Philippe opened the Chambers. During the procession from the Tuilleries an attempt to assassinate his Majesty, as he was descending the Pont Royal, on the side of the Rue du Bac, was made or pretended to be made. The King, who was on horseback, was shot at with a pistol, by a man who was standing on the Pont Royal, over which the procession passed. The ball (if there was any ball) went over the King's head, and no one was injured by it. The man who fired the pistol escaped among the crowd, and has not since been arrested. The prevalent opinion was, that the affair

was a trick got up by the Court, in order to place the Citizen King in an interesting position.

21. MARLBOROUGH - STREET POLICE-OFFICE.—Mr. Downes, a jeweller, the proprietor of a stand in Crockford's Bazaar, St. James's-street, accompanied by his solicitor, applied to Messrs. Dyer and Conant, the sitting magistrates, for a warrant to apprehend two young ladies of high respectability, on a charge of felony, alleged to have been committed by them on Friday week last, in the above-mentioned Bazaar.

The solicitor observed, that his client felt it to be his duty to bring this charge forward, in order to have it properly investigated, so that, if the offence was established, the rank and station of the offenders should not afford them any protection from punishment. The reason why the parties had not been given into custody, at the time when the discovery was made, was simply because the young woman who had been left in care of the shop was inexperienced in such matters, and felt some embarrassment from the situation in which she was unexpectedly placed.

The solicitor then proceeded to call the following evidence, on which he grounded his application for a warrant.

Margaret Findlay, sworn and examined, stated—I am in the service of Mr. Downes, a jeweller, in Upper High-street. Islington, who has a stand in the St. James's-street Bazaar, which I superintend. On Friday week, the 9th of November, three ladies, apparently mother and daughters, came into the bazaar; the two youngest of these ladies came up stairs to my stand, and one of them requested to be shown a boa clasp, in order to obtain

which, I was obliged to go to the further end of the stand. I suited them with the articles, and while they were making the purchase, the two young ladies requested to be shown a gold seal and a gold locket, which I gave into their hands to inspect. After they had quitted the counter, I missed both those articles, and in order to be quite certain I had not mislaid them, I made a strict search, in which I was assisted by two or three of the bazaar young ladies, who were informed of the loss. Not being able to find the articles, I went down stairs, and saw the young ladies at another jeweller's stand, one of whom I accosted, and requested to know if the seal and locket had not accidentally stuck to the fringe of their shawls. They complied, and shook their shawls, and afterwards examined their reticules, at my request, without discovering anything. Feeling at a loss what course to adopt, I applied to the inspectress, Mrs. Johnson, who requested the two young ladies would accompany her up stairs, which they immediately did, and, in two or three minutes after, they came back to my stand. I found the seal and locket placed on some black ornaments, which were on the counter. I am quite positive they were not there before the young ladies came up the second time. I was very much agitated at the occurrence, and having stated that I had missed another seal, in a few moments after the first discovery, I found it on the other side of the counter. The young ladies were standing close by the places where all the articles were found at the time when they were brought up stairs the second time. Two officers then came up, of whom saw one of the young

put the last seal on the counter, and who requested that they would walk down stairs. I do not know what took place with them afterwards, but upon proceeding to count the stock of pins, I missed two of them, which were afterwards shown to me, as having been taken from a pocket behind one of the young ladies by the inspector. All the articles were done up in a parcel, and placed in the hands of Mr. Crockford, jun. I did not know the names of the ladies, nor did I see their card; I only know they were carriage people.

Mr. Dyer.—Were there any other ladies purchasing goods at your stand at the time?

Witness.—The two young ladies were the only customers I had during the day. There was no crowd at all about my stand when they purchased the boa clasp, but some persons certainly collected, owing to the search which I was making.

The solicitor, in answer to an inquiry from the magistrate, said, he could not bring forward the evidence of the person who had searched the young ladies, and had found the pins upon them, because he had not been able to see Mr. Crockford; for, as the person was his servant, she could not attend without first obtaining his permission.

Margaret Findlay, on being questioned further, said, the elder lady did not come to her stall, and neither of the young ladies made any observation when the seals were found. She, however, had heard that, when they were searched and the pins were found, they had offered to pay for the articles.

Clements, an officer of the establishment, said, he was present at the transaction, but he did not see the ladies searched, nor did he know

that any thing beyond the seals had been discovered. He was ordered to follow them when they entered their equipage, which was a very handsome one, and he then jumped into a cab; having seen them set down at their residence in East Sheen, he called and saw the butler, who stated that the ladies resided there.

A warrant was made out, and was placed in the hands of Goddard, the officer, to execute. Goddard accordingly proceeded to make the necessary arrangements, and informed Mr. Downes that some person, who could point out the accused, must accompany him to East Sheen, as the parties were entirely strangers to him. To the surprise of Goddard, both Mr. Downes and Miss Findlay declined accompanying the officer. Upon hearing this determination of the complainant, Goddard re-entered the office and stated the difficulty in which he was placed.

Mr. Downes, at the request of Goddard, re-entered the office, when he was informed that it was essentially necessary that some person should go and point out the accused to the officer.

Mr. Downes said, he could not get Miss Findlay to go with the officer, and that he did not wish to go down.

Mr. Dyer.—It is the invariable practice when any person comes and applies for a warrant, which is granted, for the person so obtaining the warrant to go with the officer and see it executed. You have procured a warrant on a charge of felony against two ladies, living at East Sheen. It would be too great a responsibility on the part of the officer to go and take persons in custody whom he knows nothing of.



Mr. Downes.—Cannot Clements go, for he saw the ladies?

Mr. Dyer.—No, he cannot go, for he stated here, that he did not see them take any thing. But Miss Findlay, upon whose information the warrant is granted, says that the persons of the young ladies are known to her.

Mr. Downes.—I cannot get her to go.

Mr. Dyer.—You see the officer himself does not know that the accused are living at East Sheen.

Mr. Downes.—They are all living there, for I have been to the house.

Mr. Dyer.—When did you go there?

Mr. Downes.—I went down on Tuesday evening.

Mr. Dyer.—For what purpose did you go down?

Mr. Downes.—Understanding it was a respectable family, I went down for the purpose of informing the father that I intended to obtain a warrant, not wishing him to be taken by surprise.

Mr. Dyer.—Oh!

Goddard was unable to procure any person to accompany him for the purpose of identifying the accused; and all further proceedings were dropped.

**SUICIDE IN THE HOUSE OF CORRECTION, COLDBATH-FIELDS.**—An inquest was held on view of the body of Thomas Hollis, who had been committed to that prison from Bow-street, on Thursday last, on a charge of forgery.

John Spurling, one of the turnkeys, stated that the deceased was confined in one of the state-rooms, and never left it, except for about ten minutes on Thursday and Friday. Whenever witness visited him in the room he found him writing, and he seemed in profound thought, but betrayed no symptoms of agi-

tation. He was searched when brought in, and his knife taken from him. Witness locked him up on Friday evening, about ten minutes before five o'clock, and he then appeared as calm as usual.

Mr. Chesterton, the governor of the prison, stated that, on Saturday morning, at seven o'clock, witness went round to the state-rooms, accompanied by Hoare and Spurling, and when the deceased's cell was opened, he was seen suspended by his neck with a silk handkerchief, from a staple in the wall used for hanging up beds. Hoare cut him down, and he was found quite dead and cold. Both his hands were found tied with a neckerchief, and brought down under his thighs. In a letter addressed to witness was one enclosed addressed to "Mrs. Hollis, 33, Mill-street, Belfast, Ireland." The letters were here put in and read. The first was simply requesting witness to inform the magistrates of Bow-street that his lodgings were at No. 11, Shaftesbury-place, Pimlico. The following are extracts of the letter to his wife:—"My dear Wife—Can any one imagine my feelings while addressing this letter to you? By the time it reaches you, the dreadful fate that has befallen me will have been exposed in the public newspapers. I had flattered myself that everything was going on smoothly for my appointment as Lieutenant-colonel of Don Pedro's 1st Regiment of Dragoon Guards, when I unfortunately met a man named Beardsworth, a horse-dealer in Birmingham, from whom I purchased a horse with a 50*l.* note, which afterwards proved to be a forgery, and he took me to Bow-street, where I was publicly examined before the magistrates, and remanded to this



place, to give time to the people of the Bank of England and others to prosecute me.

"I have one great consolation, and that is, that you and my dear children cannot be implicated in my conduct; therefore neither your relations nor the world can with justice reproach you." Here follows a most minute description of the articles he had left at his lodgings, and amongst the rest, a genuine 5*l.* note, and another originally of the same amount, but which had been cut out, and the word "ten" put instead; and another with the word "fifty" inserted, but which had been a ten. "When you receive this, I shall be out of the miseries of this world. You I leave as protectress to those pledges of our mutual affection, our beloved children.

"Fate has decreed that we should behold each other no more. It is a hard task to me to write these last lines. I shall encounter but very few more of the frowns, or taste more of the bitters, which this world produces.

"Your brother or sisters will, I hope, interest themselves in your behalf at the East-India House, as also your money in the funds. Employ some professional man about the notes alluded to in my portmanteau. The original pieces of the 10*l.* and the 5*l.* are in the lining of a small lid, which takes down on the top part.

"Adieu for ever, my dear wife; my dear children, accept the last farewell and blessing from your father.

"THOMAS PELHAM HOLLIS."

Gardiner, one of the principal officers of Bow-street, stated, that he had discovered the deceased's lodgings, at 13, Shaftesbury-place, Pimlico which he had occupied in

the name of Captain Holt. He found, very ingeniously concealed underneath the lining of the lid of his portmanteau, 90 pieces of tissue paper, upon which the word "fifty," and the figures "50" had been drawn with great accuracy, in imitation of the notes of the Bank of England, intended no doubt to be substituted for the legitimate amount in bank-notes of less value. He also found all the apparatus necessary for this species of forgery, together with letters and memoranda, which proved that he must have carried on the traffic to an amazing extent. He found, besides, letters by which it appeared that the deceased had a second wife, living at Great Grimsby. He had served in the East Indies with great distinction, as a subaltern officer, and for some extraordinary act of personal bravery, had a pension of 100*l.* a-year from the East-India Company.

The jury returned a verdict of *felo de se*, and the Coroner immediately made out a warrant for the interment of the body between the hours of nine and twelve at night, in the manner ordered by the act of Parliament.

LADY NEWBOROUGH.—The following romantic story, which was some time ago a subject of conversation in the circles both of London and Paris, is contained in a letter signed "Searcher," published in the *Caledonian Mercury*. It purports to be extracted from a Memoir stated to be written by the fair claimant to the succession of the House of Orleans, and printed in Paris before the Revolution of 1830, but immediately suppressed:—

"Lady Newborough had always considered herself as the daughter of Lorenzo Chiappini, formerly

gaoler of Modigliana, and subsequently constable (sbirro) at Florence, and of his wife Vincenzia Diligenti, until some days after the death of the former (which appears to have occurred in the period of 1816-18, for the exact year is not given), when, having removed to Sienna, she received a posthumous letter from her supposed father. The following is a literal translation from the Italian original :—

“ ‘ My Lady,—I have at length reached the term of my days without having revealed to any one a secret which directly concerns me and yourself. The secret is the following :—

“ ‘ On the day when you were born, of a person whom I cannot name, and who now is in the other world, a male child of mine was also born. I was requested to make an exchange ; and, considering the state of my finances in those days, I acceded to the often-repeated and advantageous proposals, and at that time I adopted you as my daughter in the same manner as my son was adopted by the other party.

“ ‘ I observe that Heaven has repaired my faults by placing you in better circumstances than your father, although his rank was somewhat similar : this enables me to end my days with some comfort.

“ ‘ Let this serve to extenuate my culpability towards you. I entreat your pardon for my fault. I desire you, if you please, to keep this transaction secret, in order that the world shall not have any opportunity to speak of an affair which now is without remedy.

“ ‘ This, my letter, you will not receive until after my death.

“ ‘ LORENZO CHIAPPINI.’

“ Immediately after receiving this letter, Lady Newborough called before her Ringrezzi, the confessor of the late gaoler, and Fabroni, a nephew of the confessor of the late Countess Borghi, when the former assured her that his opinion had always been that she was the daughter of the Grand Duke Leopold ; but this assertion Fabroni instantly contradicted, saying, ‘ Myladi is the daughter of a French Lord called Count Joinville, who had considerable property in Champagne ; and I entertain no doubt, that if your Ladyship were to go to that province, you would there find valuable documents, which I have been told were there left in the hands of a respectable ecclesiastic.’

“ Two old sisters of the name of Bandini, who had been born and educated in the house of the Borghis, and been, during all their life in the service of that family, stated to Lady Newborough, and afterwards to the Ecclesiastical Court of Faenza, that, in the year 1773, they followed their master and mistress to Modigliana, where the latter usually had their summer residence in a chateau belonging to them ; that, arriving there, they found a French Count, Louis Joinville, and his Countess, established in the Pretorial Palace. That the Count had a well-shaped body, brownish complexion, a red and pimpled nose. ‘ As to the Countess,’ they said, ‘ in your own person, you see, my Lady, almost her perfect image.’ They further stated, that between the Borghis and this family a very intimate intercourse was soon established, and that they daily interchanged visits.

“ The foreign lord was extremely familiar with persons of the lowest rank, and particularly with the

gaoler Chiappini, who lived under the same roof. The wives of both were pregnant; and it appeared that they expected their delivery much about the same time. But the Count was tormented with a grievous anxiety; his wife had as yet had no male offspring; and he much feared that they never would be blessed with any. Having communicated his project to the Borghis, he at length made an overture to the gaoler; telling him he apprehended the loss of a very great inheritance, which absolutely depended on the birth of a son, and that he was disposed, in case the Countess gave birth to a daughter, to exchange her for a boy, and that for this exchange he would liberally recompense the father. The man, charmed at finding his fortune thus unexpectedly made, immediately accepted the offer, and the bargain was concluded.

“Immediately after the accouchement of the ladies, one of the Bandinis went to the Pretorial Palace to see the new-born babies, when some women in the house told her that the exchange had already taken place; and Chiappini himself being present, expressly confirmed their statement. The Lady Camilla (Borghi) at different succeeding periods often repeated the same statement. She said, likewise, that the Countess Joinville had been acquainted with the whole transaction, and had seemed to be satisfied with it.

“As there were several persons in the secret, however solemnly silence had been promised, there were some babblers, and public rumour soon accused the barterers. The Count Louis, fearing the people's indignation, fled and concealed himself in the convent of St. Bernard, at Brisighella. He was ar-

rested there, and again set at large, but the Bandinis never saw him after that period.

“The lady departed with her servants and her supposititious son; but her own daughter being baptized, and called Maria Stella Petronilla, and designated as the daughter of Lorenzo Chiappini and Vincenzia Diligenti, ever afterwards remained with them. The Countess Borghi was much vexed at the whole transaction, and, wishing as much as it was in her power to repair the evil done by others, she retained the young orphan near herself, and treated her with uncommon tenderness. This she continued to do during the first four years of the child's life, until Chiappini took the infant with him to Florence, where he educated her, and purchased property with the money he had received by his shameful bargain.

“Being in Paris in 1823, in the month of July, Lady Newborough had recourse to a stratagem, by which she expected to be led to some important discoveries. She inserted in the newspapers, ‘that she had been desired by the Countess Pompeo Borghi to discover in France a Count Louis Joinville, who, in the year 1773, was with his Countess at Modigliana, where the latter gave birth to a son on the 16th of April; and that, if either of those persons were still alive, or the child born at Modigliana, she was empowered to communicate to them something of the highest importance.’

“Subsequently to this advertisement, she was waited upon by a colonel Joinville; but he derived his title only from the reign of Louis XVIII. But before the colonel was out of the door, she had a call from the Abbé de Saint-

Fare, with whom she had the following conversation :—

“ The Abbé commenced—‘ The duke of Orleans having read your article, desired me this morning to seek information respecting this succession ; for we presumed that the thing in question was nothing else ; and at the period which you allude to, there was nobody besides the family of Orleans to whom the title of Joinville could belong.’— Lady Newborough.—‘ Was his highness the duke born at Modigliana on the 16th of April, 1773 ?’ The Abbé.—‘ He was born in that year, but at Paris, on the 6th of October.’ Lady Newborough.—‘ I am sorry to have given you this trouble, for in that case he is quite a different person from the one I seek.’ The Abbé.—‘ You, no doubt, know that the late duke was a great friend of the fair sex, and the infant in question may have been born of one of his favourites.’ Lady Newborough.—‘ No, the child’s legitimacy is undoubted.’ The Abbé.—‘ That is very surprising : indeed the duke ever wrapt himself up in mystery.’ Lady Newborough.—‘ Can you describe his appearance to me ?’ The Abbé.—‘ Readily, Madam. He was a good-looking man ; his leg was well made ; his complexion was somewhat darkish red ; and had it not been for the many pimples spread over his countenance, he would have been an extremely handsome man.’ Lady Newborough.—‘ And his character ?’ The Abbé.—‘ His great affability was particularly admired.’ Lady Newborough.—‘ Your description perfectly agrees with the one given to me of the count Joinville.’ The Abbé.—‘ One is in that case led to believe that it was the duke himself.’ Lady Newborough.—

‘ That is impossible, if he really was born at Paris.’ The Abbé.—‘ Allow me to ask you if there is much money to be had, and when ?’ Lady Newborough.—‘ I am extremely sorry that I am not able to satisfy you ; I dare not give any further explanation.’

“ During this conversation the Abbé continued staring at Lady Newborough almost in an offensive manner, and spoke to her sometimes English, sometimes Italian, wishing to discover what was her native language. The Abbé de Saint-Fare is a natural son of Philip Egalité.”

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## DECEMBER.

2. THUNDER STORM. — The metropolis was visited with the phenomenon, rare at this season of the year, of a severe storm of thunder and lightning, accompanied with a gale of wind of extraordinary violence. After a fine but cold afternoon, which gave no indications of a hurricane, it began to rain in torrents about seven o’clock, which was succeeded by a smart shower of hail-stones of an unusually large size, accompanied by thunder and lightning. The wind was so boisterous that the people could scarcely keep their footing in the streets, and those who ventured to hold up umbrellas soon had them blown to pieces, and were compelled to take refuge in houses and door-ways. The lightning was very vivid, and soon after the commencement of the storm, the Jubilee, a Gravesend sailing vessel, was coming up the river in Blackwall Reach, when the electric fluid struck the mast, shivered it to pieces, and carried the whole and a great portion of the bulwarks

away. A sail was also torn to ribands. Fortunately the passengers were below, and no one was hurt. The vessel was instantly put ashore. The lightning also struck the chimney-pots on the station-house in Green Bank, Wapping, and forced them upon the adjoining premises, belonging to the workhouse, and broke several panes of glass. In the neighbourhood of Stepney, several trees were blown down, and others torn up by the roots. A small unoccupied house in Bromley was struck by lightning, and much injured. The storm was severely felt in Greenwich and Deptford, and much damage was done.

4. OLD BAILEY. — Catherine Spiller, aged 53, was indicted for the manslaughter of Mary E. Landon, by administering certain dangerous plaisters, which occasioned wounds and sores, and caused the death of the said Landon.

John Carter deposed that he was a surgeon residing in South-street, Manchester-square, and first attended the deceased, who was a child, on the 18th of September, at the request of the mother, when he found the child afflicted with a cutaneous disease, and a scaled head. The child was about three years old. The disease of the body was caused by excoriation, and appeared of very long standing. Witness attended her occasionally from the 19th of September to the 4th of November, and prescribed for her. On the latter day the child was considerably better. Afterwards witness found it had been removed, and did not see it again until the day of the inquest, and then heard the child had died the day before. By the desire of the Jury, witness made an examination of the body the next day. The internal parts were

healthy, as were the lungs. The exterior presented some appearance of disease. The internal parts of the head were healthy. On the outside was a plaister, which covered the whole of the head. The ointment was spread on lint. Witness removed it, and had the head washed, but little of the flesh adhered to it. There was the appearance of sloughing extending to the membranes and other parts of the skull. In witness's opinion the same appearances would have been seen, had the plaister been taken off during life. The wounds on the head had been caused by some irritating application—a plaister. Could not tell what the plaister was composed of.

Cross-examined by Mr. Adolphus, for the prisoner. — The wounds penetrated from the surface of the skull to the fleshy covering which witness considered to be of the thickness of a half-crown. Witness, when he first attended the child, thought five or six weeks' attendance would cure her. A plaister of an adhesive quality might break the skin in being taken off, particularly if it had been kept on too long.

Whittington Landon, fishmonger, resident in Manchester-square, stated that the deceased was his child—and was in bodily health when Mrs. Landon took her for attendance to the prisoner. She had sores on the head, and blotches on the body. When she returned, she had a plaister on her head, which covered it. This was on the 7th of November, and she gradually grew worse from the day the plaister was applied. The prisoner desired the child to be taken to her again on the 10th, but she was so very ill that witness did not take her till the 11th. Laudanum was



given to her on Saturday night, by Mrs. Spiller's (the prisoner) orders—five or six drops—and on Sunday night the same quantity. Witness, on the Tuesday following, again went to the prisoner, who then gave him another plaister, some ointment and lint for the head of the child. The plaister was put on the next morning by witness's wife. The child screamed dreadfully when it was applied; from nine o'clock to two her screams were so piercing that he was obliged to close the lower doors. She died on Thursday, the 15th ult.; previously she appeared anxious to get to her mother, and was very thirsty. Witness paid 4s. for the two plaisters and the ointment which was to be rubbed in. The child became light-headed when screaming.

Cross-examined by Mr. Phillips. —Witness went to the prisoner, not she to him. She lived at Highgate, near the archway. The child was in the open air when witness took her. The prisoner did not complain of witness not having come upon the appointed day (the day before); she said it was no matter. Had had three different doctors before; the child had been ill for eighteen months. Witness was recommended to the prisoner by Mr. Bakenham, a respectable tradesman, whose family the prisoner was attending.

Wm. Randal Vickers, surgeon, deposed that he assisted in the *post mortem* examination of the body with Mr. Carter. The interior appeared very healthy, and the organs perfect. There were two eruptions on the exterior joints. The head was covered with a plaister on lint. Cannot tell what the plaister was composed of. The head appeared sloughy and dis-

ordered. Found a deep ulcer, which went to the bone at the back of the head. On the left temple there was another ulcer, but not so large. Removed the scalp, the inner part was highly inflamed. Examined the *dura mater*; there was an unusual adhesion to the skull, which the witness rather considered was caused by the long continued irritation than from external application,—that is, by the irritation of eighteen months' illness. Does not think the adhesion alone caused the death. The brain was sound. Irritation caused the death in witness's opinion, from some external application.

Mrs. Landon, the mother of the child, said, that it had been attacked by a scorbutic disease for eighteen months. She first applied to Dr. Sims, and he gave an ointment, which he said was very simple. The child got a little worse. Subsequently she took the child into the country, and the air caused spots to come out on the body. On witness's return to town she consulted Dr. M'Intyre, and he attended the child about a month, during which time she appeared much the same. After that Mr. Carter had her in charge, and she seemed to get better. On the 7th of November witness went to the prisoner's house at Highgate Archway, and asked her, if she could effect a cure, showing the child. She said she could: and said the ailment was a scaled head, which affected the whole body. She ordered the head to be shaved, which was done, and she then put a plaister of lint, of a light chesnut brown colour, on the child's head. The prisoner, on the subject of terms, then said, she did "these things" by contract. Witness paid her a sovereign down, and two sovereigns more were to be



paid when the cure was effected. The prisoner said, the effect of the plaister would be to make her child very ill, and that the head would be sore, as it was necessary to draw out all the bad humour. Witness asked if the infant was to take any medicine, and the prisoner answered she might have a little magnesia to cool her; that she, witness, need not be particular as to the child's diet; that she might take any thing, and that a little brandy and water and gin and water would do her no harm. The prisoner then offered witness some gin and water, which she declined drinking. The prisoner further said laudanum—about five or six drops—might be given to the child to lull her pain. Witness remarked, laudanum was dangerous for a child. Prisoner said in answer to an inquiry, that she could not attend at witness's house, as she never went out. The child got worse, and giddy in the head. The infant was to have been taken to the prisoner on the following Saturday; but as that was a rainy day, she was not taken till the following morning. The plaister had not been taken off. Before witness's husband took the child, witness gave her some arrow root mixed up with water. On her return home she retched violently, and voided the contents of her stomach. On the Monday she was worse, complained of her head, and wished the plaister to be taken off. On the Tuesday she was light-headed, and her illness had increased. On the latter day, although witness thought she was not in a fit state to be taken out, Mr. Landon took her to the prisoner's. Mr. Landon and the infant returned about half-past six o'clock; a different plaister was then on her head. The deceased became worse

on the Wednesday, and died at five o'clock the next day; she seemed exhausted, and slept an hour or two at intervals. Witness gave her beef-tea, gruel, and barley-water. Another plaister was put on her head on the Thursday morning, and she then screamed violently from pain, and begged it might be taken off, as that would make her well.

Cross-examined by Mr. Adolphus. — The child was getting better under the treatment of Dr. Carter, but by the advice of her husband, she took it to the prisoner.

This was the case for the prosecution.

The prisoner put in a written paper, expressing her regret for the death of the child; and stating that she had used the same remedies on numerous other occasions with decided success. The child, she considered, caught cold, while being brought to her on the last occasion, on a cold and foggy night; and that, in her belief, had caused its death.

A number of witnesses, of the most respectable appearance and description, swore to the general good character of the prisoner, and to her superior skill in the healing art; they all having been under her treatment for some cutaneous disease or other.

One person, apparently between fifty and sixty years of age, spoke with great fervour, and insisted on being heard in her favour—and that, too, "boldly;"—he had been under the care of the faculty with a bad hand, and they were unable to do him any good.

Mr. Phillips.—Now, witness, we do not want to try the merits of the faculty—what can you say for the prisoner at the bar?

Witness.—I will have it out.

by Mr. Beaume. Under these extraordinary circumstances, he thought it his duty to make a representation of the case to the magistrates. Mr. Rogers, after hearing the statement, referred him to the parish officers of Islington. Mr. Mortimer thereupon proceeded to the parish officers, and gave information: after which inquiries were made; and on Brown, the beadle, ascertaining that the bodies had been removed to the London University without having been examined by the parish searchers, he took the defendant into custody, and brought him to this office on the same evening. On being questioned by Mr. Rogers, he acknowledged having removed the bodies as described, alleging that it was his sister's wish before dissolution, in consequence of having been afflicted with a peculiar disease; and she thought that if her body was delivered over for dissection, medical science might benefit by it. Previous to acting as he had done, he consulted Mr. Cole, a surgeon, who attended his sister in child-bed, and that gentleman informed him that he could give up the body for dissection, if he pleased. After this explanation, Mr. Rogers held the defendant to bail, in the sum of 100*l.*, to appear at the office to-day, and desired the beadle to wait upon the before-mentioned medical gentleman, and request his attendance. On the case being called on for hearing, Mr. Beaume, who was attired in mourning, stood forward, and the following evidence was adduced:

Dr. James Somerville, the inspector of Anatomy, appointed by government, having been sworn, said that, on Monday, the 17th instant, Professor Quain, of the

London University, gave him the notice required by the 9th clause of the Anatomy Act, that it was his intention to remove one Charlotte Beaume, to the London University, for anatomical purposes. At the same time this notice was given, Mr. Quain said, that as there were some peculiar circumstances connected with the case, he should wish to ask his advice how to act. He then informed witness that the deceased, before her death, had requested that her body should be given up for a sum of money, to the surgeons; and that the sum raised in that way should be paid over to some charitable institution. Witness thereupon told Mr. Quain, that he had better not make a bargain for the body; but comply with the request of the deceased, by giving a sovereign to some charitable institution. This was all that passed between them on the subject, and about two days after this conversation, Mr. Quain forwarded to witness the required returns of the receipt of the body, accompanied with a certificate as to the cause of the death. Since the application was made at this office, witness had strictly inquired into the case, and he was able to say, that the whole transaction had been in strict accordance to law. Dr. Quain was licensed to dissect bodies under the new act.

Mr. John Cole, a surgeon of Charlotte-street, Bedford-square, was next sworn. He stated that about a month ago he was applied to in the usual way to attend the deceased, and that, on the 8th inst., he went to Mr. Beaume's house. On his arrival the child was born, and with its mother appeared to be doing well. All went on favourably, until Thursday, the 13th

inst. when a messenger came to his house between five and six o'clock in the morning, requesting his attendance at deceased's residence, whither he proceeded immediately, and upon seeing the woman he found her labouring under violent inflammation of the *peritoneum*. Witness relieved her by medicine, but he was unable to stop the progress of the disorder, and on the Sunday following she died. He (Mr. Cole) was not with her at the time, but he entered the room in less than an hour after her death, at which time he examined the child and found it suffering from erysipelas. The child lingered for a few days longer, and then sank under that disease. On the 17th instant Mr. Beaume called on witness, and said that his sister had expressed in writing, or in her will, a wish that her body should be disposed of for dissection, to "that professor of anatomy who entertained the most liberal opinions;" and that any sum, which he might pay for the body, should be given to an institution having for its object the benefit of mankind. The defendant also stated, that, if dissection could not be accomplished, his sister desired that her body might be burned rather than buried. In consequence of the defendant requesting witness to assist him in accomplishing the above wishes of his sister, he wrote to Mr. Quain, stating the circumstances, and offering the body to him.

Mr. Quain, demonstrator of anatomy to the London University, deposed, that on the 17th instant he received a letter from Mr. Cole, offering the deceased's body for dissection; and that, in consequence of the latter representing

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that the deceased had expressed a wish that the proceeds of the sale of her body, together with the price of a decent funeral, should be applied to some charitable purpose, he waited upon that gentleman, and stated (in reference to the request that her body might be burnt rather than buried) that the act of parliament was imperative as to the fact of interment; and on a subsequent interview with the inspector of anatomy, he said that that part of the act could not be dispensed with. On the 18th, instant witness sent an undertaker for the body, and on the following morning he saw it in the dissecting room.

Mr. Rogers — What was the cause of death?

Mr. Quain — Mr. Cole told me that he had been treating the deceased for an inflammation of the *peritoneum*; and, on a *post mortem* examination of the body, I found that he formed a correct opinion of her complaint. I saw the infant opened, and there were marks of disease; there was matter in the joints.

The magistrate then told the defendant he was discharged; adding that he had not violated the laws of the country, but, on the other hand, had acted in strict accordance with them.

29. BRUNSWICK. — The following ordinance has been published:—

We, William IV., by the grace of God, King of the United Kingdom of Great Britain, Ireland, &c. &c.; also King of Hanover, and Duke of Brunswick and Lünenburg, &c.; and we, William, by the grace of God, Duke of Brunswick and Lünenburg, &c.; considering that the changes which, since the dissolution of the Ger-

M

man Empire, have taken place in the relations of the princely houses of Germany, render it necessary to revise the regulations which have hitherto been established by the family statutes and customs of our whole house respecting the marriages of the princes and princesses of our said house; that the object of such revisal is to promote the interest of our whole house, and to modify the laws hitherto in force in a manner suitable to the attendant relations; considering that the example of other sovereign German houses may be best attained by the introduction of a superintendence to be exercised by the sovereign over the marriages of the princes and princesses; that the right of superintendence is essentially founded on the sovereignty; that the interests of our whole house requires, that uniform conditions should be laid down for both lines now reigning by virtue of the obligation to take care of the interest of our whole house, have resolved, in reference to the two lines, and the relations to these possessions which make part of the German Confederation, to establish by mutual consent a family law adapted to the said object. We therefore ordain—

Art. I. The princes and princesses of our whole house are bound to ask the consent of the reigning princes to the marriages which they intend to enter into, which consent will not be refused to properly assorted marriages, unless some peculiar reasons should exist.

II. The decision of the question whether reasons for refusing such consent exists or not, belongs exclusively to the reigning prince in every case.

III. The consent will be given

in a written document, which must be signed by the reigning prince, with his own hand, and be confirmed by the seal of state, and countersigned in the usual form.

IV. A marriage concluded without the formally granted consent of the reigning prince does not give to the children that may issue from it a right of succession to the states of the House of Brunswick Lunenburg, belonging to the German Confederation, or a right to rank, titles, and arms of the most serene house.

V. This family law shall be published by insertion in the collection of the laws of Hanover and Brunswick, as an unalterable decree from the kingdom of Hanover and the duchy of Brunswick Wolfenbittel, declaring the qualifications for succession to the government for the future.

In testimony whereof we have ordered the present document to be drawn up, have confirmed the same by signing it with our hand, and have our Chancery seal affixed to it.

Done at Windsor Castle, Oct. 24, 1831.—Brunswick, Oct. 19, 1831.

WILLIAM R.

WILLIAM, duke of Brunswick.

L. OMPTEDA.

V. SCHLEMITZ.

The undersigned, gratefully recognizing in the above regulations adopted by his Majesty, in concert with the duke of Brunswick, for the dignity and advantage of the august House of Brunswick Lunenburg, a new proof of attention to the said house, have thought it proper solemnly to certify the same, as they do by these presents, by their express declaration, confirmed by their signatures.

Done at Kew, Jan. 2, 1832 ; at Kensington Palace, Jan. 25, 1832 ; and Hanover, Feb. 28, 1832.

(L.S.) ERNEST.

(L.S.) AUGUSTUS FREDERICK.

(L.S.) ADOLPHUS.

23. RAILWAY ACCIDENT. A very serious accident, attended with fatal consequences to one individual, occurred on the Manchester railway at 9 o'clock in the morning at the Rainhill station. The second class train, which leaves Manchester at a quarter past 7, and stops by the way to take up passengers, stopped at the Rainhill station, as usual, for that purpose, to take up four or five ladies and gentlemen who were waiting to come on to Liverpool. Whilst halting for this purpose, the second class train, which leaves Manchester at 8 o'clock, was observed coming along the road with great speed. The persons belonging to the stationary train, who saw the other distinctly at a dis-

tance of 150 yards, though a dense fog prevailed at the time, called out loudly for the engineer to stop. Fortunately, the managers of the stationary train contrived to get it into motion, by which the force of the concussion was in some degree diminished. The concussion was, however, dreadful. The engine of the advancing train struck the hindmost carriage, and, after driving some of them off the road, was driven with tremendous violence against the station-house at the side of the road, the front of which was completely carried away. One young man was killed upon the spot. The last carriage of the first train was broken to pieces ; the next, a close carriage, was not much injured ; the next three were all more or less so ; but the engine and tender escaped without damage. Several of the passengers were most severely hurt, and hardly one escaped without cuts, bruises, or contusions.

# APPENDIX TO CHRONICLE.

## LIST OF THE KING'S MINISTERS.

Earl Grey .....	<i>First Lord of the Treasury.</i>
Viscount Althorp .....	<i>Chancellor of the Exchequer.</i>
Lord Brougham .....	<i>Lord Chancellor.</i>
Marquess of Lansdown .....	<i>President of the Council.</i>
Lord Durham .....	<i>Lord Privy-Seal.</i>
Viscount Melbourne .....	<i>Secretary of State for the Home Depart.</i>
Viscount Palmerston .....	<i>Secretary of State for Foreign Affairs.</i>
Viscount Goderich .....	<i>Secretary of State for the Colonies.</i>
Right hon. Sir Jas. R. G. Graham, bt.	<i>First Lord of the Admiralty.</i>
Lord Auckland .....	<i>{ Master of the Mint and President of</i> <i>{ the Board of Trade.</i>
Right hon. Charles Grant .....	<i>President of the Board of Control.</i>
Duke of Richmond .....	<i>Postmaster-General</i>
Lord Holland .....	<i>Chancellor of the Duchy of Lancaster.</i>
Lord John Russell .....	<i>Paymaster of the Forces.</i>
Hon. Edward G. S. Stanley .....	<i>Chief Secretary for Ireland.</i>
Earl of Carlisle .....	

*The above form the CABINET.*

Right hon. Sir John C. Hobhouse, bart.	<i>Secretary at War.</i>
Sir James Kempt .....	<i>Master-General of the Ordnance.</i>
Duke of Devonshire .....	<i>Lord Chamberlain</i>
Marquess Wellesley .....	<i>Lord Steward.</i>
Earl of Albemarle .....	<i>Master of the Horse.</i>
Marquess of Winchester .....	<i>Groom of the Stole.</i>
Viscount Duncan .....	<i>First Commissioner of Land Revenue.</i>
Right hon. Charles Poulett Thomson..	<i>{ Treasurer of the Navy, and Vice-</i> <i>{ president of the Board of Trade.</i>
Sir William Horne, kt. ....	<i>Attorney General.</i>
Sir John Campbell, kt. ....	<i>Solicitor General.</i>

## I R E L A N D.

Marquess of Anglesey .....	<i>Lord Lieutenant.</i>
Lord Plunket .....	<i>Lord Chancellor.</i>
Lieut. Gen. Sir R. H. Vyvian, bart. ....	<i>Commander of the Forces.</i>
Rt. Hon. Francis Blackburn .....	<i>Attorney General.</i>
Phillip Crampton, Esq. ....	<i>Solicitor General.</i>



## SHERIFFS FOR THE YEAR 1832.

<i>Bedfordshire</i> .....	Abram Edw. Gregory, of Biggleswade, Esq.
<i>Berkshire</i> .....	Thomas Mills Goodlake, of Wadley-house, Esq.
<i>Bucks</i> .....	Chas. Spencer Ricketts, of Dorton-house, Esq.
<i>Cambridge and Huntingdonshire</i> .....	Thos. Page, of Ely, Esq.
<i>Cheshire</i> .....	John Hurlstone Leche, of Carden, Esq.
<i>Cumberland</i> .....	Henry Howard, of Corby Castle, Esq.
<i>Cornwall</i> .....	Edward Archer, of Treslake, Esq.
<i>Derbyshire</i> .....	Samuel Shore, of Norton, Esq.
<i>Devonshire</i> .....	John Morth Woolcombe, of Ashbury, Esq.
<i>Dorsetshire</i> .....	Sir Edw. Baker Baker, of Rouston, Bart.
<i>Essex</i> .....	John Thos. Schoyn, of Downhalls, Esq.
<i>Gloucestershire</i> .....	Robert Canning, of Hartpury, Esq.
<i>Hants</i> .....	Sir Wm. Heathcote, of Harsley, Bart.
<i>Herefordshire</i> .....	John Freeman, of Gaines, Esq.
<i>Hertfordshire</i> .....	Robert Plumer Wood, of Gilstone Park, Esq.
<i>Kent</i> .....	George Douglas, of Chilstone Park, Esq.
<i>Leicestershire</i> .....	Edw. Bouchier Hartopp, of Little Dalby, Esq.
<i>Lincolnshire</i> .....	Wm. Hutton, of Gateburton, Esq.
<i>Monmouthshire</i> .....	Sir Mark Wood, of Rumney, Bart.
<i>Norfolk</i> .....	W. Lloyd Wiggett Chute, of South Pickenham, Esq.
<i>Northamptonshire</i> .....	Wm. Williams Hope, of Rushton, Esq.
<i>Northumberland</i> .....	H. J. W. Collingwood, of Lilburn Tower, Esq.
<i>Nottinghamshire</i> .....	Henry Machin, of Gateford Hill, Esq.
<i>Oxfordshire</i> .....	Michael Hen. Blount, of Maple Durham, Esq.
<i>Rutlandshire</i> .....	Wm. Gilford, of North Luffenham, Esq.
<i>Shropshire</i> .....	Wm. Oakeley, of Oakeley, Esq.
<i>Somersetshire</i> .....	Sir Henry Strachey, of Sutton Court, Bart.
<i>Staffordshire</i> .....	Sir T. F. Fenton Boughy, of Aqualate Park, Bart.
<i>Suffolk</i> .....	Jos. Burch Smyth, of Stoke Hall, Ipswich, Esq.
<i>Surrey</i> .....	Miles Stringer, of Effingham, Esq.
<i>Sussex</i> .....	Alexander Donovan, of Framfield Park, Esq.
<i>Warwickshire</i> .....	Edm. M. Wigley Greswolde, of Malvern Hall, Esq.
<i>Wiltshire</i> .....	Sir Edward Antrobus, of Amesbury, Bart.
<i>Worcestershire</i> .....	Joseph John Martin, of Ham Court, Esq.
<i>Yorkshire</i> .....	Richard York, of Wighill Park, Esq.

### SOUTH WALES.

<i>Breconshire</i> .....	Jas. Price Gwynne Holford, of Buckland, Esq.
<i>Cardiganshire</i> .....	Henry Lewis Edwardes Gwynne, of Lanlery, Esq.
<i>Carmarthenshire</i> .....	John Lavelin Luxley, of Lletherllecestry, Esq.
<i>Glamorganshire</i> .....	Frederick Fredericks, of Duffryn, Esq.
<i>Pembrokeshire</i> .....	David Davis, of Caernachenwen, Esq.
<i>Radnorshire</i> .....	Thos. Evans, of Llwynbarried, Esq.

### NORTH WALES.

<i>Angleseyshire</i> .....	Sir John Williams, of Bodelwyddon, Bart.
<i>Carnarvonshire</i> .....	John Rowlands, of Plas-terion, Esq.
<i>Denbighshire</i> .....	Edw. Lloyd, of Cefn, Esq.
<i>Flintshire</i> .....	Sir John Hanmer, of Bettisfield Park, Bart.
<i>Merionethshire</i> .....	Wm. Turner, of Croesor, Esq.
<i>Montgomeryshire</i> .....	Sir Chas. Thos. Jones, of Broadway, Kt.

## BIRTHS.

## MARCH.

## JANUARY.

5. At Warrington Grange, Gloucester, the seat of Josiah Gist, esq. the hon. Mrs. Samuel Gist, a son and heir.

6. At Newcastle-on-Tyne, the lady of lieut.-col. Holloway, R. Eng. a daughter.

8. At Oxford, the wife of the rev. E. B. Pusey, regius professor of Hebrew, a daughter.

18. In Portland-place, the countess of Sheffield, a son.

25. At Totton, the wife of lieut.-col. Phipps, a daughter.

26. In Eaton-place, the Countess of Denbigh, a son.

27. At Long Stowe Hall, Cambridge-shire, the lady Jane Pym, a son.

29. At Rockwood, the right hon. lady Cha. Churchill, a daughter.

## FEBRUARY.

3. At Delamore, the seat of her father, near Ivy-bridge, Devon, the wife of W. Mackworth Praed, esq. barrister-at-law, a daughter.

6. At Ryde, the wife of W. Hughes Hughes, esq. barrister-at-law, M.P. for Oxford, and Ald. of London, a daughter.

— The wife of the rev. Dr. Buckland, canon of Christ Church, Oxford, a dau.

— At Bath, the wife of the rev. sir Geo. Bishopp, bart. a son.

10. In Portland-place, the wife of sir W. Curtis, bart. a daughter.

13. At Earl's-Crome-court, the hon. Mrs. W. Coventry, a daughter.

14. At Leamington, the wife of sir C. E. Carrington, of Chalfont St. Giles, Bucks, a daughter.

16. At North Runcton, lady H. Gurney, a daughter.

— In St. James's-place, lady Kath. Jermyn, a daughter.

20. At Gosport, the wife of Capt. J. Burney, R.N. a son.

21. At Vernon-house, Park-place, lady Suffield, a son.

23. At Bloxworth-house, Dorset, the wife of J. H. Lethbridge, esq. a daughter.

25. At Wimbledon, the wife of col. Hogg, a son.

29. In Rutland-square, Dublin, the countess of Longford, a son.

*Lately* In Mansfield-street, the right hon. lady Petre, a son.

3. In Great George-street, Westminster, the wife of Stephen Lashington, D.C.L. two sons.

6. At Holkham, the lady Ann Coke, a daughter.

13. At Merton-college, Oxford, lady Carmichael Anstruther, the wife of the rev. Dr. Marsham, a daughter.

18. At Arundel, the wife of the hon. and rev. Edw. J. Turnour, a son.

20. At Salisbury, the wife of the hon. and rev. Canon Bouverie, a daughter.

21. At lady Colchester's, in Montague-place, Russell-square, the wife of the hon. P. H. Abbot, a son.

25. In Grosvenor-square, the lady of J. A. Hankey, esq. a daughter.

31. Lady Elizabeth Drummond, a son.

*Lately.* The lady of the hon. and rev. W. Eden, of Christ Church, Oxon, a daughter.

— The wife of F. T. Baring, esq. a son.

— At Cowes, the wife of general Brown, a son.

## APRIL.

3. The wife of the rev. Renn Dickson Hampden, Bampton lecturer at Oxford, a son.

— At Dawlish, the lady of sir Edw. Astley, R.N. a son.

5. At Taplow-court, the countess of Orkney, a daughter.

10. At Egham-park, the wife of lieut.-col. Salwey, a son and heir.

16. The wife of W. Lytton Bulwer, esq. M.P. a son.

17. The lady of the right hon. sir Robert Peel, bart. a daughter.

19. At Moorepark, the right hon. the countess of Mountcashel, a son.

21. The lady of the hon. and rev. H. Montmorency, a son.

23. At Stonor-park, the wife of Tho. Stonor, esq. a daughter.

27. At Cambridge, the hon. Mrs. W. Towry Law, a daughter.

## MAY.

7. At Exbury-house, near Southampton, the lady Georgiana Mitford, a son.

13. At Penenden-heath, the wife of lieut.-col. Tod, a daughter.

15. At the Royal Naval Hospital, the lady of commissioner sir J. A. Gordon, a daughter.

## BIRTHS.

15. At Somerhill, the lady of the right hon. sir Stratford Canning, a son.

— In Hill-street, the wife of lieutenant-col. W. Burrows, a son.

17. At Wadhay-house, Devon, the wife of Wm. Bantfield, esq. high constable and warden of Hemiock-castle, a son.

22. In Lincoln's Inn-fields, the wife of W. T. Copeland, esq. M.P. and Ald. a son.

25. At Plymouth, the lady of Chas. Whitford, esq. a son.

27. At Cheltenham, the lady of G. Graham Blackwell, esq. of Ampney-park, Gloucester, a son and heir.

— In Wilton-crescent, the wife of G. Drummond, esq. a daughter.

29. In John-street, Berkeley-square, lady Blackett, a daughter.

— In Bedford-square, the wife of the hon. Mr. Justice Patteson, a daughter.

30. In Torrington-square, lady Hinrich, a son.

## JUNE.

2. At Elwick-hall, co. Durham, the wife of the rev. J. Allan Park, a son.

7. At Skendleby, Lincolnshire, the wife of major E. Brakenbury, a son.

12. At Mount Radford-park, the lady of lieutenant-col. Denty, a daughter.

*Lately.* In Berkeley-square, lady Julia Hobhouse, a daughter.

## JULY.

5. At Calke Abbey, Derbyshire, the lady of Sir G. Crewe, bart. a son.

8. At Queen-street, May-fair, the wife of lieutenant-col. the hon. S. O. Grady, M.P. a son and heir.

15. At Brighton, the hon. Mrs. Anderson, a son.

— At Hyde-park-corner, the wife of J. J. Tollemache, esq. a son and heir.

— In Harley-street, the wife of John Forbes, esq. M.P. a son.

16. Lady Charlotte Lane Fox, of twin daughters.

— At his seat, the Cedars, the wife of lieutenant-col. Leister F. Stanhope, C.B. a daughter.

— At Baring-place, Exeter, the wife of col. Delamain, C.B. a son.

— At Branston-hall, near Lincoln, the wife of the hon. A. Leslie Melville, a daughter.

20. At Cheltenham, the wife of lieutenant-col. Hogge, a daughter.

21. At Wells, Norfolk, the wife of lieutenant-col. Cassidy. 31st foot, a son.

29. At Charlemont-villa, near Dublin, the lady of the hon. Isaac Barré Phipps, of H.M. late Council, Berbice, a daughter.

30. At the Gothic, Kentish-town, the lady of sir James Williams, a son.

31. At Blyth, near Bawtry, lady Bouverie, a daughter.

*Lately.* At Enfield-house, the hon. Mrs. de Blaquiere, a daughter.

— At Woodchester-park, Gloucestershire, the hon. Mrs. Moreton, a son.

## AUGUST.

2. At Bath-house, Piccadilly, lady Henry Thynne, a son.

4. In Dublin, lady Harriet Fowler, a daughter.

— At Titchborne, the right hon. lady Dormer, a daughter.

8. The wife of H. J. Baillie, barrister-at-law, a daughter.

9. At Minestead-lodge, lady Catharine Buckley, a daughter.

15. At Coleorton-hall, Leicestershire, the lady of sir H. W. Beaumont, bart. a son.

19. In Portland-place, the lady of sir H. Willock, a son.

24. At Brighton, lady Garvagh, a son.

29. At Buckland, Berkshire, the wife of Robert George Throckmorton, esq. M.P. a daughter.

30. At Leigh-court, Somersetshire, the wife of P. J. Miles, esq. M.P. a son.

## SEPTEMBER.

5. In Bedford-place, the wife of W. T. Jemmett, esq. barrister-at-law, a son.

6. In Park-street, Grosvenor-square, the lady Elizabeth Trefusis, a daughter.

10. At Fairfield, Somersetshire, the wife of sir Peregrine Palmer Acland, bt. a daughter.

11. At Old Windsor, the hon. Mrs. Every, a daughter.

17. At the Forbury, Reading, the wife of the rev. F. Valpy, a son.

— At Edinburgh, the lady of colonel Pitman, C.B. E. I. C. a son.

20. The wife of the rev. T. Grinfield, Clifton, a son.

— At Uddens-house, Dorset, the lady of lieutenant-col. sir James Frazer, bart. a son.

21. At Hartbam-park, Wilts, the wife of H. H. Joy, esq. a son and heir.

BIRTHS.

22. At the Palace, Hereford, the lady of the bishop of Hereford, a daughter.  
 23. At Brighton, the wife of captain Richard Blunt, a daughter.  
 25. The wife of William Kennaway, esq. mayor of Exeter, a son.  
 27. At Cave-castle, in the county of York, the lady of the hon. Mr. Stourton, a son.

OCTOBER.

1. At Teignmouth, the wife of Richard Corbet, of Adderley-hall, Shropshire, esq. a son and heir.  
 8. At Rempstone, Dorsetshire, the lady Caroline Calcraft, a daughter.  
 9. At Easton Neston, in the county of Northampton, the countess of Pomfret, a son.  
 12. At Gen. Prole's, Cheltenham, the wife of captain G. Prole, a daughter.  
 — At Maize-hill, Greenwich-park, the wife of Stacey Grimaldi, esq. F.S.A. a son.  
 14. At Coupland-castle, Northumberland, the wife of M. Culley, esq. a son and heir.  
 21. At Blyth-hall, the lady of W. Stratford Dugdale, esq. M.P. a daughter.  
 — The viscountess Turnour, a daugh.  
 23. In Park-street, Grosvenor-square, the lady of sir John Montague Burgoyne, bart. a son and heir.  
 24. The wife of George H. R. Harrison, esq. of the Heralds'-college, a daughter.  
 — At Milford-house, Hants, the lady of lieut.-col. d'Arcy, a son.  
 28. At Castle-hill, Devon, the seat of earl Fortescue, lady Elizabeth Courtenay, a son.  
 — At St. Petersburg, the empress of Russia, a son.  
*Lately.* At Anglesey-place, the wife of lieut.-col. Henderson, a daughter.  
 — At Bicester-house, the viscountess Chetwynd, a daughter.  
 — In Sackville-street, London, the viscountess Valletort, a son and heir.  
 — In Hertford-street, the lady of sir Culling Eardley Smith, a daughter.

NOVEMBER.

5. In Whitehall-place, lady Henley, a son.  
 8. At Aberystwith, the wife of lieut.-col. W. T. Baker, a daughter.  
 — At Harrow, the lady of the rev. Dr. Longley, a son.

9. At Walton Rectory, near Glastonbury, the lady John Thynne, a son.  
 11. In Hamilton-place, the countess Gower, a son.  
 25. At Capheaton, Northumberland, the seat of sir John E. Swinburne, bart. the wife of J. W. Bowden, esq. a daughter.  
 — At Wolverstone-park, Suffolk, Mrs. Ralph Berners, a daughter.  
 26. At Everton-house, near Lymington, the wife of lieut.-col. H. Roberts, a son.  
 30. The wife of Walter Wilkins, esq. of Macslough-castle, a son and heir.  
 — At Birling, Kent, the hon. Mrs. Nevill, a son.  
 — At Hackness-hall, the lady of sir J. V. B. Johnstone, bt. M.P. a daughter.  
 — At Bordean-house, Hants, the right hon. lady Maria Saunderson, a daughter.

DECEMBER.

2. At Kilve-court, Somerset, the wife of captain Luttrell, a son.  
 — At Tregunter, the wife of major Gwynne Holford, a daughter.  
 4. At Montague-house, Lambridge, the wife of lieut.-col. H. Griffiths, a daughter.  
 10. At Cornhill-house, the wife of H. J. W. Collingwood, esq. of Lilburn-Tower, high-sheriff of Northumberland, a daughter.  
 11. At Titchborne-park, Hampshire, the wife of lieut.-col. Charles Talbot, a son.  
 14. At the house of her mother, the countess of Sandwich, the countess of Walewska, a daughter.  
 24. The wife of Mr. R. Lander, the celebrated African traveller, a son.  
 30. The wife of T. H. Marshall, esq. barrister, Leeds, a daughter.  
 — At Sandwell, Staffordshire, the countess of Dartmouth, a daughter.  
 — In Spring-gardens, the lady Seymour, a daughter.  
 — The hon. Mrs. Martin, wife of captain Fanshawe Martin, R.N. a son.  
 — At Castle-goring, Sussex, the hon. Mrs. Pechell, a daughter.

MARRIAGES.

JANUARY.

4. Ed. Hobhouse, esq. son of the late Sir Benj. Hobhouse, bart. to the hon. Hester Charlotte Graves.

## MARRIAGES.

5. At Marston, the seat of the earl of Cork, the rev. John Bramston, to Clara Sandford, only dau. of major-gen. sir Nich. Trant.

— At St. Pancras Church, capt. Gardner, to Hellen, dau. of the late P. Carnegie, esq. of Lower Forfarshire.

10. At Ilfracombe, John Somers Down, M.D. to Jane, the third dau. of rear-admiral Bowen.

— At Tottenhall, H. Straubenzee, esq. of Spenithorne, Yorkshire, and late of 14th light dragoons, to Henrietta, eldest dau. of sir J. Wrottesley, bart. M.P. and niece to the earl of Tankerville.

— At the Savoy, C. Thomson, esq. attorney-gen. of St. Kitts, and eldest son of the late C. Thomson, esq. to Maria, only dau. of N. Byrne, esq. of Lancaster-place.

— At St. James's, Robert, eldest son of Robert Snow, esq. of Saville-row, to Georgiana, eldest dau. of Roger Kynaston, esq. of St. James's-place.

— Hensleigh Wedgwood, esq. third son of Josiah Wedgwood, esq. of Maerhall, Staffordshire, to Frances Emma, dau. of the right hon. sir J. Mackintosh, M.P.

— At St. James's, Gibbs Crawford Antrobus, esq., of Eaton-hall, Cheshire, M.P., to Charlotte, second dau. of lady Charlotte Crofton, and sister to the present lord Crofton.

19. At Awliscombe, major Prideaux, son of the late sir John Wilmot Prideaux, bart., of Netherton, Devon, to Frances, dau. of the rev. W. E. Fitzthomas, Awliscombe.

— At Clapham, F. Stainforth, esq., nephew of sir Thomas Baring, bart., to Eliza, eldest dau. of John Thornton, esq., and grand dau. of Samuel Thornton, esq. formerly M.P. for Hull.

— At Mary-le-bone church, viscount Turnour, eldest son of the earl of Winterton, to Maria, third dau. of sir Peter Pole, bart.; and at the same time, Thos. Eaton Swettenham, esq., to Wilhelmina, his second dau.

23. At St. Ann's, Dublin, lieut.-col. Seymour Blane, son of sir Gilbert Blane, bart. to Eliza, eldest dau. of John Armit, esq. of Kildare-street.

*Lately.* At Trinity church, Mary-le-bone, C. Woodcock, esq. of Park-crescent, Portland-place, to the hon. Louisa lady Edmonstone, dau. of Beaumont late lord Hotham.

— The hon. St. John Butler, second son of lord Dunboyne, to Anna Maria,

relict of J. Fitzpatrick, of Spidale, Galway.

## FEBRUARY.

9. At St. Martin's, sir Culling Eardley Smith, bart. to Isabella, dau. of the late Thomas W. Carr, esq. of Frognal, Hampstead.

— At Oswestry, sir Baldwin Leighton, of Loton-park, Salop, bart. to Mary, dau. of T. N. Parker, of Sweeney-hall.

— Lieut.-col. H. W. Barton, eldest son of the late gen. Barton, of Waterfoot, in the county of Fermanagh, to Mary Caroline, eldest dau. of R. Johnston, esq. of Kinlough-house, in the county of Leitrim.

— At Thorpe, near Bridlington, capt. Beaumont, to the hon. Susan H. B. Macdonald, fourth dau. of lord Macdonald.

14. At Mary-le-bone church, W. Postlethwaite, esq. of Hambrook-house, Sussex, to Eliza, second dau. of the late sir W. Elias Taunton, of Grand-pont.

— At St. Asaph, W. O. Stanley, son of sir J. T. Stanley, of Alderley-park, bart. to Ellen, sister of sir J. Williams, of Bodelwyddan, bart.

16. At St. James's, G. Lake Russell, esq. youngest son of the right hon. sir Henry Russell, to the lady Caroline Alicia Diana Pery, youngest daughter of the earl of Limerick.

21. At Peover, in the county of Chester, the rev. George Pitt, to Charlotte Augusta, third dau. of sir H. Mainwaring Mainwaring, bart. of Over Peover.

22. At Heavitree, the rev. J. E. Allen, to Laura Eliz. eldest dau. of sir H. M. Farrington, of Spring-lawn, bart.

— At Hawsted, Suffolk, Miss Cullum, only child of the rev. sir Gery Cullum, bart. of Hardwick-house, to Thomas Gibson, esq. of Theberton, Suffolk.

23. At Madras, major Leggett, to Caroline, youngest dau. of sir Robert Baker, of Montagu-place, Russell-square.

28. At Bideford, Devon, the rev. John Pyke, rector of Parracombe, to Ellen, dau. of the late T. Burnard, esq.

— At St. George's Hanover-square, Capt. G. St. John Mildmay, R.N., to Mary, widow of the late J. Morritt, esq.

## MARCH.

1. At Bessingby, H. B. Darby, esq. to Harriet, dau. of the late Harrington Hudson, esq. of Bessingby-hall, niece to the duchess of Leeds.

## MARRIAGES.

2. At York, the rev. William Henry Dixon, canon resident of York, to Mary Ann, eldest dau. of late adm. Robinson, of York.

5. At Hardwicke, lieutenant-col. B. Chapman Browne, to Mary Anne, dau. of J. F. Lloyd Baker, esq. of Hardwicke-court, Gloucester.

8. At Trinity church, Mary-le-bonne, C. Des Voeux, esq. eldest son of sir C. Des Voeux, bart. to the hon. Frances Henrietta Law, youngest dau. of the late lord Ellenborough.

10. At Paris, Mons. Sebastien Stanislas Hodé, of Rouen, son of lieut.-col. Hodé, Chevalier de la Legion d'Honneur, to Eliza, eldest dau. of John Robson, esq. of Hamilton-place, London.

22. At Rathmullan church, Charles Rea, esq. to Anne, second dau. of the late sir Thomas Lighton, bart. of Newville, in the county of Dublin.

23. At Hunsdon, H. Warre, esq. to Mary, third daughter of Nicholson Calvert, M.P. of Hunsdon-house, Herts.

28. At Buckby, Leicestershire, the rev. G. Straton, rector of Somersall Herbert, Derbyshire, nephew to the late earl of Roden, to Elinor-Katherine, dau. of Richard Norman, of Melton Mowbray, and niece to the duke of Rutland.

## APRIL.

2. At St. George's, Hanover-square, the hon. Samuel Hay, second son of the late earl of Errol, to Louisa, only dau. of the hon. D. Pleydell Bouverie.

5. At Mary-le-bonne church, col. Berkeley Drummond, to Maria, dau. of the late William Arthur Crosbie, esq.

10. At Haydor, in the county of Lincoln, sir E. Cholmeley Dering, bart. of Surrenden Dering, Kent, to the hon. Jane Edwardes, dau. of lord Kensington.

11. At Plymouth, the hon. Catharine Savary de Courcy, widow of the late hon. Michael de Courcy, capt. R.N. to W. Ball, esq. of Salcombe, Devon.

14. At Chester, Thomas Marshall, esq. of Hartford-beach, to Agnes Phœbe, 4th daughter of late Digby Legard, esq. of Watton-abbey, Yorkshire.

23. At Hastings, Chas. Strickland, esq. to Eliz. eldest dau. of H. Deacon, esq. of Long Cross House, Glamorgan-shire.

26. At St. Margaret's, Westminster, the rev. C. Blathwayt, rector of Langridge, Somerset, to Anne Linley, eldest

daughter of W. G. Rose, esq. of Parliament-street.

— At Southampton, col. Le Fevre, E. I. C. to Elinor, third dau. of the hon. P. B. de Blaquiére, of Enfield-house.

— At Malpas, B. Leigh Trafford, esq. of Oughtrington-hall, Chester, to Eliza Frances, second daughter of Thomas Tarleton, esq. of Chorlton-lodge.

30. At St. Mary's Mary-le-bone, the rev. sir T. Gery Cullum, bart. of Hardwicke house, near Bury, to Miss Lloyd, of Kingston co. of Dublin.

— At Trinity church, Mary-le-bone, H. T. Lumsdon, esq. of Cushnie, Aberdeenshire, to Susanna, third dau. of N. B. Edmonstone, esq. of Portland-place.

## MAY.

2. At Cambridge, the rev. R. Duffield, B.D., rector of Frattling with Thorington, Essex, to Sophia Barbara, eldest dau. of the late rev. T. Kerrich, principal librarian of the university.

3. At New church, Mary-le-bone, capt. Geo. Hill, royal Horse Guards, eldest son of sir R. Hill, to Jane, dau. of Thos. Borough, of Chetwynd-park, esq.

5. At St. George's Hanover-square, lieut.-gen. sir Rufane Donkin, to Lady Anna Maria Elliot, dau. of the late and sister to the present earl of Minto.

7. At All Souls church, the rev. H. Fludyer, to Augusta, dau. of sir Rich. Borough, bart.

14. At St. George's, sir F. Hervey Bathurst, bart. of Clarendon-park, Wilts, to Louisa Mary, dau. of the late W. Smithe, esq. of Bambridge Hants, and niece to Mrs. Fitzherbert.

15. At the Cape of Good Hope, major Julius George Griffiths, principal commissary of ordnance at that presidency, to the widow of the late lieutenant-col. Williams.

22. At Halton Chapel, in Cheshire, hon. Richard Bootle Wilbraham, eldest son of lord Skelmersdale, to Jessy, third dau. of sir Rich. Brooke, bart. of Norton Priory.

24. At All Souls Church, Mary-le-bone, James Brabazon, of Mornington house, co. Meath, esq. to Amelia, only dau. of sir H. E. Austen, of Shalford-house, Surrey.

28. At St. George, Hanover-square, vis. Boyle, to Emily Henrietta, youngest dau. of lord George Seymour.

Lately. In Dublin, Crofton Moore



## MARRIAGES.

Vandeleur, esq. to the lady Grace Toler, dau. of the earl of Norbury.

## JUNE.

2. At St. Mary-le-bone church, John Alves Arbuthnot, esq., second son of the late sir W. Arbuthnot, bart. to Mary eldest dau. of G. Arbuthnot, esq. of Elderslie lodge, Surrey.

— At Acton, the rev. Richard Stewart Evelyn Forster to Cath. Frances, daughter of the late F. L. Austin, esq.

14. At Gaddesby, John Ewart, esq. of Liverpool, to Eliza, only dau. of lieutenant-col. Cheney, C.B. of Gaddesby, Leicestershire.

16. At Worthing, lieutenant-col. Riddall, K.H. to Mary-Anne, dau. of the late Geo. Daysh, esq.

20. At Edinburgh, A. H. Urmston, esq. to Margaret, third dau. of Gen. Graham, Stirling, of Duchray and Auchyle, Stirlingshire.

21. At Chester-le-street, col. Bell, of Benton, Northumberland, late of the 86th reg. to Emma-Donna, dau. of the late Isaac Cookson, esq. of Whitehill, Durham.

21. At St. James's, the right hon. F. J. lord Monson, to Theodosia, youngest dau. of L. Blacker, of Newent, county of Gloucestershire, esq.

— At Catton, Norwich, the rev. E. H. Ravenhill, to Alicia-Honorina-Harriette, only child of G. F. Harvey, esq. and grand-daughter of the earl of Cavan.

21. At St. George's, Hanover-square, the hon. and rev. Everard Robert Bruce Fielding, brother to the earl of Denbigh, and rector of Stapleton, Shropshire, to Miss Boughey, eldest daughter of the late sir J. F. F. Boughey, bart.

22. At St. George's, Hanover-square, London, viscount Acheson, son of the earl of Gosford, to lady Theodosia Brabazon, only daughter of the earl of Meath.

25. At St. George's, Hanover-square, Wm. Tobias Langdon, esq. to Margaret, dau. of the rev. Dr. Sampson, rector of Groton, Suffolk.

26. At All Souls, Langham-place, lieutenant-col. Alex. Maclachlan, R.A. to Eliz.-Mary-Harvey, dau. of late col. Colebrooke, R.A.

Lately. Rev. R. I. Wilberforce, vicar of East Farleigh, Kent, son of W. Wilberforce, esq. formerly M.P. for York-

shire, to Agnes-Frances-Everilda, eldest daughter of the ven. arch. Wrangham.

— Rev. C. Whichcote, brother of the late sir T. Whichcote, bart. to Harriet, daughter of the late T. Tryen, esq. of Bulwick, Northampton.

## JULY.

5. At St. James's, captain H. Vyner, to the hon. Mary Gertrude, second daughter of lord Grantham.

10. At Christ church, Mary-le-bone, captain F. Madan, E.I.C. to Harriet, daughter of the late sir James Graham, bart. of Netherby, Cumberland.

— At Bridgwater, Joseph Anstice, professor of classical literature, at King's college, to Elizabeth, daughter of J. Ruscombe Poole, esq.

15. At Paris, sir Ferdinand Richard Acton, bart. of Aldenham, Salop, to Mademoiselle de Dalberg, only daughter of the duke de Dalberg, peer of France.

18. At Broadway, the viscount de Visme, eldest son of col. comte de Visme, of Exmouth, to Elizabeth Carter, second daughter of the rev. W. Palmer, D.D. vicar of Yarcombe, Devon.

— At Barlbro, Derbyshire, the rev. Christophër Alderson, to Georgiana, fourth daughter of the late John Peel, esq. Pastures-house.

— At Ripon, T. Grimston, M.D. to Anne Maria Fynes Clinton, daughter of the late rev. Dr. Fynes Clinton, preb. of Westminster.

19. At Steeple Aston, James Moncrieff Melville, esq. of Priestden, Fifeshire, to Augusta, daughter of the late vice-admiral Lechmere.

21. At the house of Arthur Clegg, esq. Irwell Bank, co. Lancaster, sir Rowland Hill of Hawkstone, bart. M.P. for Shropshire, to Ann, dau. of the late Joseph Clegg, esq. of Peplow hall.

— At Mary-la-bonne, the rev. John Cecil Hall, son of the late dean of Durham, to Frances Amelia, eldest daughter of the hon. col. Wingfield Stratford, of Addington-place, Kent; and on the same day, John Malcolm, esq. youngest son of Neill Malcolm, esq. of Poltalloch, Argyllshire, to Isabella Harriet, youngest daughter of the hon. col. Wingfield Stratford.

— At St. Mary-le-bone church, sir John Mansel, bart. to Maria Georgiana, only daughter of the late hon. and the Champion Dymoke, and present champion.

PROMOTIONS.

Dacres Adams, esq., and major-gen. sir Benj. Chas. Stephenson, to be commissioners of woods and forests.

29. Knighted: Joshua Rowe, esq. chief justice of Jamaica.

MEMBERS RETURNED TO PARLIAMENT.

*Dunwich.*—Rt. hon. visc. Lowther.

*Ennis.*—Major-gen. sir A. Fitzgerald.

*Tewkesbury.*—Chas. Hanbury Tracy, esq.

*Westminster.*—Rt. hon. sir John Cam-  
Hobhouse.

CIVIL PREFERMENTS.

J. T. Coleridge, esq. serjeant at law, to be recorder of Exeter.

MARCH.

GAZETTE PROMOTIONS.

5. Knighted by patent: Geo. Campbell, of Eden-wood, co. Fife, esq.

6. 32nd foot, lieut.-gen. sir Sam. Venables Hinde, K. C. B. to be col.—  
98th foot, major-gen. hon. sir Cha. John Greville, K. C. B. to be col.

8. Knighted: Dr. David Brewster.

16. 15th dragoons, lieut.-col. lord Brudenell to lieut.-col.—Earl of Mulgrave to be captain-general and governor of Jamaica.

22. Knighted: general Martin Hunter, G. C. H.

23. 2nd drag., lieut.-col. lord Arthur Hill to be lieut.-col.

MEMBERS RETURNED TO PARLIAMENT.

*Ayr, &c.*—Thos. Fras. Kennedy, esq.

*Ennis.*—Major-gen. sir Aug. Fitzgerald.

*Flint.*—Sir Stephen R. Glynn, bart.

*Marlow.*—Wm. Robt. Clayton, esq.

*Tregony.*—James Adam Gordon, esq.

CIVIL PREFERMENTS.

W. Hughes Hughes, esq. M. P. to be alderman of the ward of Portsoken vice Scales, rejected by the court of aldermen as unfit.

*London University.*—Mr. Maldon, M. A., to be professor of Greek; Mr. White, B. A., professor of mathematics; and the  
Dr. Ritchie, professor of natural

philosophy, vice Mr. Long, Mr. de Morgan, and Dr. Lardner, resigned.

APRIL.

GAZETTE PROMOTIONS.

10. Major-gen. Hugh Fraser, to be K. C. B.; William Woods, esq. to be officer of arms attendant on the knts. commanders and companions of the bath; and sir N. Harris Nicolas, to be secretary of the knights commanders and companions.

12. Knighted: Wm. Woods, esq. Clarenceux, king of arms.

— 75th foot, lieut.-gen. sir Joseph Fuller, G. C. H. to be colonel.

— 96th foot, major-gen. sir Lionel Smith, K. C. B. to be colonel.

— Staff, lieut.-col. T. F. Wade to be dep. adj.-gen. at the Cape of Good Hope.

16. Major Willock, to wear the insignia of the order of the Lion and Sun, conferred on him by the shah of Persia.

20. Spencer Horsey Kilderbee, of Glemham, Suffolk, esq. to take the surname and bear the arms of De Horsey; lieut.-gen. sir W. Keir Grant, K. C. B. to assume the dignity of a baron of Austria, and use the title in this country.

29. Right hon. lord Belhaven to be high commissioner to the general assembly of the church of Scotland.

ECCLESIASTICAL PREFERMENTS.

Rev. Dan. Wilson, D. D. to be bishop of Calcutta.

Rev. lord E. Chichester, to be Dean of Raphoe.

CIVIL PREFERMENTS.

Walter Bourne, esq. clerk of the crown of the king's bench, Ireland.

Rev. J. Romilly, Registrar of Cambridge University.

MAY.

GAZETTE PROMOTIONS.

1. Major-gen. Wm. Nicolay, to be governor of the Mauritius.

2. The earl of Dundonald, to be rear-admiral of the blue.

5. Robert Wilson, of Didlington, and of Ashwellthorpe, Norfolk, esq. to be summoned to the House of Peers as baron Berners, being lineally descended

**PROMOTIONS.**

from Jane, dau., and eventually sole heir, of sir John Bouchier, the last lord Berners.

11. To be barons of the United Kingdom: lord Francis Godolphin Osborne, as baron Godolphin, of Farnham, Royal Bucks; Lucius visc. Falkland, as baron Hunsdon, of Scatterskelfe, co. York; and Chas. Dundas, esq. as baron Amesbury, of Kintbury, Amesbury, and Barton Court, Berks, and Aston-hall, co. Flint.

22. Col. Ed. Bewater to be equerry to his majesty, vice lieut.-col. Fox; lord Hay to be page of honour.

23. Visct. Ashbrook to be a lord of the bedchamber, vice lord Glenlyon.

24. Mr. Sergeant W. Taddy to be attorney-general, and Mr. Sergeant H. A. Merewether to be solicitor-general, to the queen.

25. Right hon. John lord Ponsonby to be minister plenipotentiary to the two Sicilies.

— Charles duke of Richmond, Col. of the Sussex militia, to be one of his majesty's aides-de-camp, and to take rank as one of the senior colonels of militia.

29. Lieut.-col. C. R. Fox, 1st or grenadier foot guards, to be aide-de-camp to his majesty.—Col. lord Wm. Russell to be brigadier-general in Portugal only.

**ECCLESIASTICAL PREFERMENTS.**

Rev. E. Grey, D.D. to be bishop of Hereford.

Rev. J. Merewether, dean and prebendary of Hereford cathedral.

**JUNE.**

**GAZETTE PROMOTIONS.**

1. H. S. Fox, esq. to be minister plenipotentiary to the emperor of Brazil; C. J. Hamilton to be minister plenipotentiary to the United Provinces of Rio de la Plata.

2. Sir J. Macdonald, bart. to be lord high commissioner in the Ionian Islands.

5. D. R. Morier, esq. to be plenipotentiary to the Swiss Cantons.

6. Henry Labouchere, esq. to be a commissioner of the Admiralty.

24. Knighted: col. John Woodford, K.C.H. of the gren. guards.

27. Knighted: major-gen. Fred. Wm. Mulcaster, R. Eng., K.C.H.; major-gen. Joseph Straton; K.C.H.; John

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Leslie, of Coates, esq. K. H. professor natural philosophy in univ. of Edinburgh; and Edw. Thomason, of Birmingham, esq.—Capt. sir Michael Seymour, bart. and capt. T. Briggs, R. N. to be rear-admirals of the blue.

**MEMBERS RETURNED TO PARLIAMENT.**

*Appleby.*—Charles Henry Barham, esq. *Berks.*—Robert Palmer, of Holme Park.

*Chester.*—J. F. Maddock, esq. *Hampshire.*—Sir Thos. Baring, bart.

**CIVIL PREFERMENTS.**

James Loch, esq. to be recorder of Newcastle-upon-Tyne.

Robert Ingram, esq. to be recorder of Berwick.

John Wood, esq. M.P. to be recorder of York.

**JULY.**

**GAZETTE PROMOTIONS.**

4. Knighted: major-gen. John Hanbury.

9. Sworn of the Privy Council, rt. hon. Holt Mackenzie, rt. hon. Henry Ellis.

14. Knighted by patent: Col. David Ximenes, K.C.H.

17. Knighted: Cha. Marshall, esq. chief-justice of the Supreme Court in Ceylon.—Hon. Henry Fox to be secretary of legation at Turin.

18. Gilbert earl of Minto to be minister plenipotentiary to the king of Prussia.

20. Garrisons.—lieut.-gen. sir John Byng, governor of Londonderry and Culmore.

21. Right hon. Holt Mackenzie, Robert Gordon, and Thomas Babington Macaulay, esqrs. to be commissioners for the affairs of India.

24. 18th foot—lieut.-gen. Matthew lord Aylmer, to be col.—56th foot, Lieut.-gen. sir Hudson Lowe to be col.—93d foot Major-gen. sir John Cameron to be col.—Garrisons. Gen. sir Martin Hunter to be governor of Stirling Castle.—Major-gen. Paul Anderson to be governor of Pendennis castle; lieut.-col. Peter Dumas, lieut.-governor of Gravesend and Tilbury Fort.

25. Sir Aug. W. Clifford, knight, C.B. R.N. to be gentleman usher of the black rod.

**N**

## PROMOTIONS.

27. Brevet lieut.-col. Loftus Gray, to be lieutenant-governor of Pendennis castle.

*The Navy.*—The following is the new construction of the civil department of the navy, on the plan proposed by sir James Graham, and adopted by Parliament:—First secretary of the Admiralty, capt. the hon. George Elliott; second secretary, John Barrow, esq.; private secretary to the first lord of the Admiralty, major Geo. Graham; surveyor of the Navy, Capt. W. Symonds; accountant-general of the navy, John Tho. Briggs, esq.; storekeeper-general, the hon. Robert Dundas, (son of visc. Melville); comptroller of the victualling of the navy, and of the transport service, James Meek, esq.; physician to the navy, sir W. Burnett; chief clerk of the admiralty, H. F. Amedroz, esq.; hydrographer, capt. Beaufort, R.N. The establishment of the navy pay-office now consists only of the right hon. C. Poulett Thomson, treasurer, of a chief clerk in the treasurer's branch, and of pay clerks at Chatham, Portsmouth, and Plymouth.

## MEMBERS RETURNED TO PARLIAMENT.

*Wycombe*—Hon. Charles Grey.  
*Knaresborough*—Hon. Wm. Ponsonby.

## AUGUST.

## GAZETTE PROMOTIONS.

1. Knighted: Lieut.-col. Michael Creagh, C.H.

10. James Craig Somerville, esq. M.D. to be inspector of anatomy in Middlesex, Kent, and Surrey, and city of London; and David Cragie, esq. M.D. in the county and city of Edinburgh.

24. Knighted: Major-gen. Wm. Nicolay, governor of the Mauritius; John Deas Thomson, esq. K.C.H. late commissioner and accountant-gen. of the navy.

— Lord Nugent to be lord high commissioner of the Ionian islands and a knight grand cross of the Ionian order of St. Michael and St. George; admiral sir Harry Neale, G.C.B., vice-adm. sir Graham Moore, K.C.B., vice-adm. sir Pulteney Malcolm, K.C.B., and vice-adm. sir E. Codrington, re-invested with the ensigns of knights grand crosses, which they resigned on quitting severally the command in the Mediterranean and sir

Harris Nicolas, K.H. to be chancellor of the order.

31. Knighted: Francis Palgrave, esq. C.H.

## MEMBER RETURNED TO PARLIAMENT.

*Tipperary (co.)* — R. Otway Cave, esq.

## CIVIL PROMOTION.

Mr. Henry Earle to be professor of anatomy and surgery to the college of surgeons, London.

## SEPTEMBER.

## GAZETTE PROMOTIONS.

5. Benj. Collins Brodie, esq. to be serjeant surgeon to his Majesty.

Knighted: Frederick Adair Roe, esq. chief magistrate of Bow-street.

7. Hon. John Duncan Bligh to be secretary to his majesty's embassy at St. Petersburg.

12. Capt. Horace Seymour, to be equerry to his majesty. Robert Keate, esq. to be surgeon to his majesty's person. David Davies, esq. surgeon extraordinary to his majesty's household.

Knighted: Geo. Jackson, esq. K.C.H. commissary judge at Rio de Janeiro.

18. The hon. W. Temple, to be minister plenipotentiary to the king of Saxony.

24. 7th foot, — Major-gen. sir E. Blakeney, to be colonel.

## OCTOBER.

## GAZETTE PROMOTIONS.

2. Lord Howard de Walden to be minister plenipotentiary to Stockholm.

8. Mr. Thomas Hamilton Miller, advocate to be sheriff depute of Selkirkshire, vice sir Walter Scott.

12. Knighted: Charles Eurwicke Douglas, esq. king of arms of the order of St. Michael and St. George.

30. Right hon. sir Stratford Canning, G.C.B. to be ambassador to the emperor of Russia.

31. Knighted: Major Francis Geary Gardner Lee, R.M.K.C.S.

## CIVIL PREFERMENT.

Rev. George Rowley, D.D. master of

## PROMOTIONS.

University College, to be vice chancellor of Oxford.

### NOVEMBER.

#### GAZETTE PROMOTIONS.

6. Knighted, rear adm. Charles Cunningham, K.C.H.

— The right hon. sir T. Denman to be of the Privy Council.

— Knighted: Lieut.-gen. Thomas Browne, K.C.H.; and commissary-gen. John Bissett, K.C.H.

9. Right hon. lord John Ponsonby, to be ambassador to the Sublime Porte; the hon. W. Temple, to be minister plenipotentiary to the Two Sicilies; the hon. Francis Reginald Forbes, to be minister plenipotentiary to the king of Saxony.

12. The earl of Errol to be knight marischal of Scotland.

19. Royal artillery major-gen. Geo. Ramsey, to be col. commandant.

22. Thos. Francis Kennedy, esq. to be commissioner of the Treasury, vice lord Nugent.

23. Vice admiral sir Charles Rowley, to be a groom of his majesty's bedchamber.

Lord Elphinstone to be a lord of his majesty's bedchamber.

30. Lieut-col. W. Leader Maberly, to be clerk of the Ordnance, and lieut.-col. C. R. Fox, to be surveyor-general.

#### CIVIL PREFERMENT.

Sir Thos. Denman to be lord chief justice of the court of king's bench; sir W. Horne, attorney-general; and John Campbell, esq. solicitor-general.

### DECEMBER.

#### GAZETTE PROMOTIONS.

7. 86th foot, major-gen. W. G. lord Harris, to be colonel.

11. Summoned to the House of Peers, the marquis of Tavistock, as baron Howland, of Streatham, co. Surrey; the earl of Uxbridge, as baron Paget, of Beaudesert, co. Stafford; and lord Grey, as baron Grey, of Groby, co. Leicester.

Edward Smith Stanley, esq. (commonly called lord Stanley) created by patent baron Stanley, of Bickerstaffe, co. Lancaster.

13. James Alex. Stewart Mackenzie, to be a commissioner for the affairs of India, vice T. B. Macaulay, esq.

21. Lieut.-col. Tho. W. Taylor, to be groom of his majesty's bedchamber in ordinary.

#### ECCLESIASTICAL PREFERMENTS.

Rev. M. Russell, to be dean of Edinburgh, Fife, and Glasgow.

Rev. C. B. Pearson, preb. in Sarum Cathedral.

Rev. E. W. Winnington, preb. in Worcester Cathedral.

## DEATHS.

### JANUARY.

1. At Gibraltar, general sir George Don, G.C.B. and G.C.H. governor of Scarborough Castle, and colonel of the 3rd foot.

3. At Shooter's Hill, aged 57, Edward Strachey, esq. brother to sir Henry Strachey, bart. of Sutton Court, Somerset.

— In the Fleet Prison, aged 65, John Charles le Poer Beresford Morphew, esq. formerly a colonel in the army, and distinguished at the rebellion of 1798.

4. Aged 47, colonel sir Thomas Noel Hill, K.C.B., T.S. and M.J., commandant of the cavalry dépôt, Maidstone; youngest surviving brother to general lord Hill, G.C.B. the general commanding in chief, and son-in-law to lord Teignmouth.

— In Lambeth workhouse, aged 74, Mr. Drummond, once a respectable lottery-office-keeper in Holborn.

5. In Dublin, the right hon. Catherine baroness Fitzgerald and Vesey, of Clare and Inchicronan, county Clare.

6. At Windsor, aged 81, Mary, widow of sir William Herschel, K.H., and previously of John Pitt, esq.

7. At York, aged 56, Mr. W. Flint, of Great Driffield, author of a "Treatise on the Horse."

— At Old Ford, aged 39, Richard Evans, esq. of Queen-street, Cheapside president of the Cymreigyddion, and conservator of the ancient Welsh MSS. of the Royal Cambrian Society. His purse and time were devoted to the diffusion of useful knowledge among the poor Welsh in the metropolis: a little

## DEATHS.—JAN.

colony of whom, consisting of nearly twenty families, lived under his patronage near one of his warehouses ; and at his expense lectures on mechanics were delivered in Welsh once a week.

7. In Upper Bedford-place, the widow of J. I. Bernal, esq. of Jamaica.

— At Newark, aged 92, Samuel Sketchley, esq. many years senior alderman of that borough.

9. At Winchester, aged 78, the rev. Edmund Polter, M.A. prebendary of that cathedral, rector of Meonstoke, vicar of Alton, and for many years a magistrate for Hampshire. Besides several sermons, he published a supplement to the *Pharsalia* of Lucan, translated from the latin of Thomas May, 1786, 4to. ; and “ *Proposal for a new arrangement of the Revenues and Residence of the Clergy*,” 1802, 8vo.

10. At Tenby, sir Robert Jones Allard Kemys, of Yreysarwood, Glamorganshire.

— In his carriage, on the road from Stourbridge to his residence at Great Barr, aged 69, John Scott, esq. high sheriff of Worcestershire for 1830-31.

11. At Redfield Lodge, Lawrence Hill, Bristol, in his 50th year, lieutenant colonel Thomas Brereton, late inspecting field-officer of the Bristol district. Lieutenant-colonel Brereton was born in the King's County, May 4, 1782. In 1797, he went as a volunteer to the West Indies with his uncle, capt. (now colonel) Coghlan, of the 45th regiment. In 1798 he obtained an ensigncy in the 8th West-India regiment ; and was promoted to the rank of lieutenant in the same corps in 1801. He was engaged in the taking of the Danish and Swedish West-India settlements ; and continued in that part of the world until the reduction of his regiment in 1802. In April 1803, he was appointed to the 2nd West-India regiment ; but, during that year, he served in Jersey, where he acted as Adjutant to the first West-India battalion, raised for the defence of that island. In April, 1804, he received a captaincy in the royal African corps ; and, being separated from it, served in the same grade in the royal West-India rangers. He acted as brigade-major to his relative Brig.-gen. Brereton, governor of the island of St. Lucia ; and served in that capacity until the general returned to Europe, early in 1807. In 1809 he was at the capture of Martinique, and during that year he was appointed brigade-major

to major-general Wale, in Barbadoes. He held that rank at the taking of Guadaloupe in 1810 ; and proceeded in 1811, in command of the left wing, to the colony of Surinam ; whence he was removed to the garrison of Mount Bruce in Dominica ; and then returned to Europe in 1813, in consequence of ill health and the injuries he had sustained in a hurricane that year. In July, 1815, he was appointed lieutenant-colonel of the royal African corps, and lieutenant-governor of the settlements and garrisons of Senegal and Goree, on the west coast of Africa ; whence he returned, in consequence of ill-health, in December 1816. In 1818, he went to the Cape of Good Hope, and was placed in command of the garrisons upon the frontiers of the colony. A domestic calamity recalled him to England in March, 1819 ; but he again proceeded to the cape in the autumn of that year, as lieutenant-colonel of the 53rd regiment, and remained in command of Cape Town until March, 1823 ; having been transferred, as lieutenant-colonel, to the royal York rangers in Feb. 1820, and to the 49th regiment in August 1821. He became inspecting field officer of the Bristol district, by exchange with lieutenant-colonel Daniel, in July, 1823. Every step in his military career was obtained without purchase ; and, during a service of nearly thirty-four years, he was only one year and a quarter on half-pay. The late riots at Bristol placed him in a situation to which he was unequal. A court-martial was held to examine into his conduct, and this circumstance led to the catastrophe noticed at page 14 of the Chronicle.

13. At Manchester, aged 29, Mr. Henry Liverseege, a highly-gifted artist, who, in the course of the last five years, had rapidly risen from obscurity. At the outset of his career he painted indifferent portraits at a very low price, and even public-house signs. His first appearance at the Manchester exhibition was in 1827, when he sent three small pictures of banditti, which were disposed of with difficulty for a few pounds. His “ *Recruit*,” a small picture painted and sold within the last six months, was eagerly bought (at the British Institution) for 130 guineas. The first picture that stamped his talent with the public was Adam Woodcock, purchased by lord Wilton. His favourite subjects were from the works of Shakspeare, Cervantes, Butler, and Scott.



## DEATHS.—JAN.

13. Aged 102, Mr. Hugh Evans, tailor. He was a native of Anglesea, and came over to Liverpool to make mourning at the death of George II. He worked at his business till within the last seven years, and retained his sight and hearing until the hour of his dissolution.

— Suddenly, at the bank of England, whilst receiving a dividend, aged 62, the rev. Stephen Weaver Brown. He was educated at Pembroke College, Cambridge, where he took the degree of B.A. in 1802. Having left the established church, he became a Unitarian minister, and was for some time a popular preacher at Birmingham.

14. At his seat, Cross, near Torrington, Thomas Stevens, esq. recorder of Exeter, Barnstaple, and Torrington, and a major in the North Devon regiment of Yeomanry cavalry. Educated for the bar, he early displayed talents of a superior order, and in 1826 he was elected by the chamber of Exeter to fill the honourable and responsible office of recorder of that city. On Monday, January 9, Mr. Stevens sat in the court of quarter sessions in Barnstaple; and on Tuesday, at the quarter sessions in Southmolton; and, on each of those days, he complained of indisposition in his head. A tumultuous assemblage of people at Torrington on the following days, called forth his active exertions both as a magistrate and an officer, and probably increased the excitement which disease had previously begotten in his mind. On Friday evening he wrote a letter to a gentleman, which bore strong indications of great mental agitation. In this perturbed state he retired to his room on the evening of Friday. In the morning, the report of a pistol was heard from the dressing room, which induced Mrs. Stevens to hasten thither; and, on entering she caught her husband in her arms, deluged in blood flowing in torrents from a wound inflicted in his throat, which caused his death within a very short period.

17. At Stourbridge, in the house of her brother in law, William Evans, esq. Elizabeth, wife of sir John Evans, knt. of Erbistock hall, co. Flint, who died in 1825.

18. In Portland-place, aged 69, the right hon. Anne countess dowager of Sheffield. Her ladyship was the second daughter of Frederick second earl of Guildford, K.G. (the prime minister when lord North) by Anne, daughter and heiress of George Speke, esq. With

her sisters, the late lady Glenbervie and lady Charlotte Lindsey, she was a lady in waiting to the princess of Wales (the late queen Caroline), before she quitted this country for the continent. On the 20th of January, 1798, Lady Anne North became the third wife of George lord Sheffield, the editor of the works of Gibbon, who was created an earl in 1816, and died May 30th, 1821.

19. Aged 85, Thomas Burton, esq. of Guildford-street, late secretary to his Majesty's commissioners of Excise.

20. At Dublin, aged 49, Alexander Nimmo, esq. F.R.S.E., and M.R.I.A. He was born at Kirkcaldy in Scotland, in 1783, and was educated at the grammar school of Kirkcaldy; he afterwards studied for two years at the college of St. Andrew's, and finally completed his studies at the college of Edinburgh. He was an excellent greek and latin scholar; and the higher branches of mathematics and algebra were his favourite studies. At the age of nineteen he was appointed rector of the Inverness academy, by the unanimous vote of the proprietors. Whilst occupying this office, Mr. Nimmo was first employed in a public capacity, at the recommendation of Mr. Telford, by the parliamentary commissioners for fixing and determining the boundaries of the Scottish counties. This undertaking he accomplished during the vacations, and performed it in the most able and satisfactory manner. Shortly after, he was again recommended by Mr. Telford to the commissioners for reclaiming the bogs of Ireland. After completing the bog surveys, Mr. Nimmo went to France, Germany, and Holland, and personally inspected the great works of those nations. On his return he was employed in the construction of Dunmore harbour, a work of immense magnitude and utility, on a shore much exposed to the roll of the Atlantic, and where the depth of water at the extremity of the pier exceeds that of the Plymouth breakwater. Mr. Nimmo was employed by the fishery board in making surveys of the harbours of Ireland, and constructing harbours and piers all round the coast. He was also employed by the ballast board to make a chart of the whole coast, which is now published, and is executed with great skill and accuracy. He likewise compiled a book of sailing directions of St. George's channel and the Irish coast, which is now in the press; and, from the paucity of the present information on that subject, pro-

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mises to be of the greatest use to navigators. During the great distress in the year 1822, he was appointed engineer to the "western district" of Ireland, and from the outlay of 167,000*l.* up to 1830, he caused, by the improvement of land and the formation of what may be termed new settlements, no less an increase of revenue in that district than 106,000*l.* per annum. In reviewing Mr. Nimmo's professional practice, its extent and variety are calculated to excite surprise. Upwards of thirty piers or harbours on the Irish coast, were built under his direction; also Perth Cawl in South Wales; he designed the Wellesley bridge and docks, at Limerick; and latterly was engaged in Lancashire, projecting a railway from Liverpool to Leeds, and also the Manchester, Bolton, and Bury railway. He was consulting engineer to the duchy of Lancaster, the Mersey and Irwell navigation, the St. Helen's and Runcorn Gap railway, the Preston and Wigan railway, and Birkenhead and Chester railway. In addition to his classical and mathematical knowledge, Mr. Nimmo was well versed in modern languages, particularly French, German, Dutch, and Italian, and was also well acquainted with practical astronomy, chemistry, and geology. To the last-named science he was much attached, and wrote an excellent paper, showing how it might become available in navigation, which was published in the transactions of the Royal Irish Academy. He was also the author of the article on Inland Navigation in Brewster's Cyclopaedia; also, in conjunction with Mr. Telford, of that on Bridges, and with Mr. Nicholson, of that on Carpentry.

— At Newport, I.W., aged 73, the hon. dame Elizabeth Worsley Holmes.

21. At the Priory near Bury, aged 66, the hon. Louisa Elizabeth, wife of sir James Henry Blake, bart. of Langham Hall, and aunt to lord viscount Gage.

— Aged 62, lady Margaret, widow of Charles Cameron, esq. aunt to the earl of Errol, sister to the fifteenth and sixteenth earls, and to the late countess of Glasgow.

22. After an illness of three years, the lady of the right hon. sir Edward Thornton, G.C.B., of Wembury House.

23. At Bromley, A. Stratton, esq. late envoy extraordinary and minister plenipotentiary to Sweden.

— At Great Gransden, Huntingdon, in his 62nd year, the rev. James

Plumptre, B.D. vicar of that place. He was the son of the rev. Robert Plumptre, D.D., president of Queen's College, Cambridge. He received his education in the school of Mr. Newcome at Hackney, where he acquired a taste for theatrical performances, which he retained throughout his life. He then represented several characters with applause, as he did afterwards at a private theatre at Norwich. At the age of seventeen, he removed to Queen's college, Cambridge. He proceeded M.A. 1795, and B.D. 1808; and was presented to the living of Great Gransden, in the year 1812. Mr. Plumptre was the author of the "Coventry Act" a comedy, printed in 8vo, 1793; and of *Osway*, a tragedy. 1795, 4to.; and to his pen was also attributed "the Lakers," a comic opera, 1798, 8vo. In 1818, he published a volume of six dramas; and in 1796, he published "Observations on Hamlet, and on the notions which most probably induced Shakspeare to fix upon the story of Amleth, from the Danish chronicle of Saxo-Grammaticus, for the plot of that tragedy; being an attempt to prove that he designed it as an indirect censure on Mary Queen of Scots:—"Collection of Songs Moral, Sentimental, and Instructive," adapted to music by Charles Hayne, Mus. D. professor of music in the university of Cambridge, in three 12mo. volumes;—in 1810, "Four Discourses on subjects relating to the amusements of the stage;"—in 1811, "Letters to John Aikin, M.D. on his volume of vocal poetry;"—in 1812, "An Inquiry into the Lawfulness of the Stage;—and, in three volumes, 12mo., "the English Drama purified," a selection of seventeen standard plays, in which the objectionable passages are omitted or altered; and in 1820, "A Letter to the marquis of Hertford, on the subject of a dramatic institution. In a letter to the Gentleman's Magazine, on the same subject, and in justification of the course he had pursued, is an interesting communication, in which he points out his reasons for presuming that Milton was himself a performer in his masque of Comus. Mr. Plumptre also published several sermons:—"The House of Mourning and the House of Feasting," 1804: "The Plague Stayed," a scriptural view of the pestilence, particularly of the small pox, two sermons 1805: "The Waters of Bethesda," preached for the Margate Sea Bathing Infirmary, 1807, &c., &c. Mr. Plumptre

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had two sisters, Miss Anne and Miss Arabella Plumptre, both of whom have run a successful career as authors and translators of novels and romances.

24. At Rawell, near Hull, after a painful and lingering illness, aged 66, Daniel Sykes, esq. M.A. barrister-at-law; late recorder of Hull, representative of that town in parliament from 1820 to 1830, and in the last parliament M.P. for Beverley. Mr. Sykes was the son of a merchant at Leeds, and having received a liberal education, was elected a fellow of Trinity College, Cambridge, where he graduated B.A. 1788, as 14th wrangler, and M.A. 1791. He was shortly after called to the bar, but did not practise, for any length of time; he preferred joining in the commercial pursuits of his family, who, under the firm of Joseph Sykes, Sons, and Co., have for more than thirty years been nearly the sole importers, at Hull, of Swedish iron, for the use of the cutlers at Sheffield.

25. Sarah Tournay, wife of George Gunning, esq. of Frindsbury and Dent-de-Lion, Kent, and widow of the late capt. sir Thomas Staines, K.C.B.

— At the Pavilion, Brighton, aged 84, Charles Greenwood, esq., the long established army agent, and friend of the late duke of York. After having dined with the king, and won a rubber from his Majesty, he was suddenly taken ill, and shortly after expired in the arms of sir Herbert Taylor.

— Murdered in a field near his own house at Golden, six miles from Tipperary, the rev. Irvine Whitty, rector of that parish. He was the eldest son of the rev. John Whitty, of Kilrush, and brother to the rev. John Whitty, arch-deacon of Kilfenora, and to major Whitty, of the 26th regiment. This gentleman fell a victim to his perseverance in enforcing his tithes, for which he brought forty-five suits at the late sessions at Cashel. The verdict of the coroner's inquest was "wilful murder against persons as yet unknown."

— At Kinsale, co. Cork, aged 58, the right hon. and rev. Thomas de Courcy, twenty-seventh lord Kinsale, baron Courcy of Courcy, and baron of Ringrone, co. Cork, premier baron of Ireland (1181). The barony of Kingsale is the premier existent barony of Ireland; but the barony of Athenry, now in abeyance, takes precedence by an old adjudication. The unique privilege enjoyed by this family, of wearing the hat in the royal

presence was granted by King John to their remote ancestor, John de Courcy earl of Ulster. The late peer never asserted the privilege; but it was exercised by his father, Baron John, at a court held in Dublin Castle, during the visit of George IV. in 1821; and by his grandfather, the twenty-fifth Baron, in 1762, on being presented to George III.

26. At Dublin, Thomas Ellis, esq. senior master in chancery in Ireland.

— At Brussels, aged 62, general Belliard French ambassador to the court of king Leopold. General Belliard was aid-de-camp to Dumourier at the commencement of the revolution. In 1796 he joined the army of Italy under Buonaparte, and distinguished himself at Castiglione, Arcole, &c. He accompanied Buonaparte to Egypt, where he had the command of the province of Thebes, commanded a division at the battle of Heliopolis, defeated the Mamelukes at Caphtos, and took Cossein. After the assassination of Kleber, he took the command of Cairo, returned to France on the capitulation of Alexandria, and was appointed to the command of Brussels. He was at the battle of Austerlitz, was in the campaign against Prussia in 1806, went into Spain, and occupied Madrid by capitulation in December, 1808. He was with the grand army in 1812, and had a horse killed under him in the battle of Moskwa. He was in favour with Louis XVIII., who created him a chevalier of St. Louis, and gave him a seat in the chamber of peers; but being appointed major-general of the army that was to stop the march of Napoleon to Paris in 1815, he yielded to the enthusiasm of his troops, and was sent on a delicate mission to the king of Naples, which did not succeed. Napoleon on his return to France gave him the command of the army of the Moselle. On the entrance of the allies into Paris, he was confined for some months in the Abbaye, but was soon released, and lived esteemed in private life after his long and active career. After the revolution in July, he was appointed minister plenipotentiary of France in Belgium.

— At Paris, aged 73, the hon. sir Alexander Forrester Inglis Cochrane, G.C.B. admiral of the white, a vice president of the Naval Charitable Society; uncle to the earl of Dundonald. The circumstances of his death were as follows: On the morning of the 26th of January, he went, accompanied by his

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brother, to visit his daughter, lady Trowbridge, for the purpose of engaging his grandchildren to come to an evening's entertainment, and he had just taken his seat after caressing them, when, placing his hand on his left side, he exclaimed to Mr. Cochrane, who was standing by him, "Oh! brother, what a dreadful pain!" and instantly fell back into his arms and expired. His remains were deposited in the cemetery of Père la Chaise, attended by all his relatives, and most of the British naval and military officers then in Paris, and by many private friends he had formed in France, among whom were the baron Hyde de Neuville, the viscount de Chabot, M. du Buc St. Olympe, &c.

26. In his 102nd year, Mr. John Bassett, shoemaker, the oldest inhabitant of Salisbury.

27. At Bath, aged 65, the hon. sir Francis Nathan. Burton Conyngham, K.G.H., lieutenant-governor of Lower Canada (a sinecure office), a governor of the co. Clare, and colonel of the Clare militia; twin brother to the marquis Conyngham.

— At Lindsay cottage, Cheltenham, in his 80th year, the rev. Andrew Bell, D.D. and LL.D. prebendary of Westminster, master of Sherborn hospital, Durham, fellow of the Asiatic Society, and the Royal Society of Edinburgh; the founder of the Madras system of education. Dr. Bell was born and educated at St. Andrew's, and spent some part of his early life in America. In 1789 he went to India, as a chaplain to the hon. Company; and whilst acting in that capacity at fort St. George, and as minister of St. Mary's, Madras, he was led by circumstances to the formation of his system of education. Having undertaken the superintendence of the Military Male Orphan Asylum, he adopted the plan of mutual tuition; and fostered its progress in that establishment until his return to England in 1796. After his return the original report was submitted to the authorities at home, was shortly afterwards adopted in England, and has since been spread over every civilized nation in the world. The establishment of ten thousand schools in Great Britain alone, without any legislative assistance, wherein six hundred thousand children are educated by voluntary aid and charity, speaks volumes in his favour. Dr. Bell published several treatises explaining his views, one of the most comprehensive

of which is—"Mutual Tuition and Moral Discipline; or a manual of instructions for conducting schools through the agency of the scholars themselves, for the use of schools and families: with an introductory essay on the object and importance of the Madras system of education; a brief exposition of the principles on which it is founded; and an historical sketch of its rise, progress and results." The seventh edition, 1823. Dr. Bell was rewarded with the mastership of Sherborn Hospital, Durham, conferred on him by bishop Barrington; and in 1819 with a prebendal stall at Westminster. He made a very large fortune in India, which, before his death, he distributed in a noble and generous manner amongst the principal institutions in the cities of Scotland. To his native city of St. Andrew's, he gave 10,000*l.* besides a sum of 50,000*l.* for the building and endowment of a new college there. The remains of Dr. Bell arrived in London from Cheltenham on the 11th of February. Having remained for three days at No. 18, Berkeley-square, they were deposited in Westminster Abbey on the 14th. The funeral procession consisted of ten mourning coaches, and twenty-six private carriages.

28. At the house of his sister, Mrs. Auber, in Brook-street, Regent's Park, aged 43, the wife of Colonel Wadmore, R. Eng., of Woburn-hill-house, Chertsey. She died suddenly after dinner, and a coroner's inquest was held, which returned a verdict of apoplexy.

— At his residence, Westhill-lodge, Tichfield, aged 57, the right hon. lord Henry Paulet, the senior vice-admiral and K.C.B.

29. At Farrall's hotel, Dublin, the right hon. Daniel Toler, baron Norwood, of Knockalton, in the county of Tipperary (1797), and baron Norbury, of Ballyorenade, in the same county (1800). His lordship was the elder son of the late John, earl of Norbury, and Grace, daughter of Hector Graham, esq. He succeeded to the barony of Norwood, July 27, 1822, on the death of his mother, who was created a peeress, whilst her husband was solicitor-general in Ireland, in 1797; and to that of Norbury on the 21st of last July, on the decease of his father, the late lord chief justice. In consequence of his mental imbecility, his father, on being raised to an earldom, passed him over, and procured the remainder of that dignity to

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be limited to his younger son, Hector-John, the present earl, in whom the barony of Norwood (1797), and that of Norbury (1800), and the earldom of Norbury (1827), have now all coalesced.

30. At his house, Elmhurst, near Batheaston, aged 76, William Bedford, esq. F.S.A. formerly of Birches Green, in the county of Warwick.

*Lately.* Robert Alexander Crickett, esq. of Smyth's Hall, Essex, formerly M.P. for Ipswich, from 1807 to 1820.

Lieutenant-general Christopher Darby, for many years commandant of the Limerick district.

At Teignmouth, aged 44, the hon. Julia wife of captain Richard Harward, R.N., and younger daughter of lord Exmouth. She was married Jan. 11th, 1810.

In the workhouse, Moretonhampstead, Mary Downe, at the advanced age of 105.

At Chiselhurst, Kent, John Martin, esq. a banker in Lombard-street; and for twenty years a burgess in parliament for Tewkesbury.

At Woolwich Common, aged 76, Craven Ord, esq. F.R.S. and F.S.A. of Greenstead Hall, Essex, and of the King's Remembrancer's Office in the Exchequer.

At Crondall, at the age of 103 years, George Leavey, a labouring man, who possessed his faculties unimpaired to the latest hours of his existence. For the last seventy years he had smoked three pipes of tobacco daily.

At Yarmouth, aged 113, Jane Grey. She retained her faculties, and moved about till within six weeks of her death.

In the Mile End Road, aged 80, Mr. Archibald Thomson, nurseryman. Mr. Thomson was of the same family as the poet of "the Seasons." He was for some time chief gardener to the marquis of Bute, at Luton, in Bedfordshire, where the collection of rare plants was very extensive. He was the first importer of the *Camellia Japonica* into this country; and the propagator of some of the rarest and choicest species of flowering shrubs in Europe. He brought the tea tree to the greatest perfection, particularly the green tea, which may be seen growing to a considerable size in his open grounds. The magnificent plant called *Magnolia Thomsonia*, was first raised by him from seed, the parent stock having been previously crossed by other species. One of the largest is as

much as twenty-four feet in circumference, and about eighteen feet in height. It begins to flower in June, and continues in bloom for upwards of six weeks, presenting to the eye one mass of flowers, of a sort of cream colour, and emitting a fine fragrance.

— At Balaam's heath, near Munslow, Mary Sargeon, aged 104. She had for a long series of years acted the part of a "wise woman" to the neighbouring peasants, who sought her advice in cases of lost property, and for a knowledge of future events.

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2. Aged 63, the hon. Anne Gould, widow of Edward Thornton Gould, esq. daughter of Charles the eighth lord Dormer, and sister to the ninth and tenth peers of that name.

— At Gasthwaite, Mr. Barnard Smith, aged 105. He was for many years blacksmith and farrier to Elliott's light dragoons, into which he enlisted at Northallerton, in 1758.

3. In Keppel-street, aged 63, John Stewart, esq. formerly president of the council, and collector of the customs, Bermuda.

— In Brook-street, Grosvenor-square, Mad. la Comtesse de Vandes.

— At Lisson Grove, aged 21, Mr. James Fletcher, author of "The History of Poland." At an inquest held on his body, Mr. John Atkins, of Abbey-house, St. John's Wood, schoolmaster, deposed that the deceased lived with him as an assistant for two years up to Christmas last. During that time he published "The History of Poland," a work which acquired some reputation: he was also the author of some poems, "The Siege of Damascus," "The Gem," &c. and was a contributor to several of the periodicals. Induced by the success of his work on Poland, he gave up his situation at Christmas last, and devoted himself solely to literary pursuits. Latterly he suffered a great deal of anxiety respecting a bill of exchange, which he was afraid would fall back upon him. George Newport, a medical student, deposed that he was on very intimate terms with the deceased, and lodged in the same house; he was always silent and reserved, but within the last fortnight, had become pensive and low-spirited. On the Friday preceding he did not rise until five o'clock in the afternoon, when



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witness came home to dinner. They sat at table together, but the deceased scarcely ate any thing. He remained silent the whole evening, and seemed in a doze with only one interval, when he looked over some papers connected with a work on India on which he was engaged. At ten o'clock witness urged him to go to bed, which he promised to do. Witness wished him "good night;" he returned it with a warm pressure of his hand, but did not speak. He was found next morning sitting in a chair quite dead; a pistol lay on the floor by his side, and, on examination of the body, it appeared that the ball had entered under the sixth rib on the left side. The verdict was "Temporary insanity."

5. Aged 84, Elizabeth, widow of Dr. Erasmus Darwin, of the Priory, Derbyshire.

— At Wiverton-hall, near Bingham, Notts, aged 46, Mary, wife of John Musters, esq. of Colwick and Annesley-hall. She was the lady to whom lord Byron's early poems were addressed, and to whom he was so passionately attached. She preferred, however, Mr. Musters, who on their marriage took her maiden name, that of Chaworth, of which ancient Nottinghamshire house she was sole heiress. On the death of the late Mr. Musters they resumed that name. On the occasion of the sacking of Colwick-hall by the rioters, in October last, Mrs. Musters took refuge in the shrubbery; from that period she was never well.

6. At Whitestock-hall, Lancashire, the rev. John Romney, B.D. only son of the eminent painter, George Romney, of whom he published a quarto volume of Memoirs in 1830.

— In Bernard-street, Russell-square, aged 73, Joseph Shepperd Munden, the eminent comic actor. Munden was the son of a poulterer in Brooks's-market, Holborn, where he was born in the year 1758. His father died soon afterwards, leaving his widow with slender means, and Munden was thrust upon the world to seek his fortune at twelve years of age. He was placed in an apothecary's shop, but soon left it for an attorney's office. He was next apprenticed to a law stationer's shop, and became a "hackney writer:" his master died, and once more he returned to the office of a solicitor. About this time he imbibed a taste for the stage, and with

it an admiration of the genius of Garrick. He started for Liverpool, and engaged in the office of the town clerk, sometimes copying for the theatre, walking in processions, and bearing banners, at one shilling per night. At length he acted the first carrier in Henry IV. He next joined a company at Rochdale, which he soon left, and returning to Liverpool, smothered his dramatic passion for two years, when he started for Chester. He entered that city with his "last shilling," which he paid for admission to the theatre, little thinking of provision for the night. At the close of the performance he fell in with a person who had been a butcher's apprentice in Brooks's-market, and who, remembering young Joseph's antic tricks, gave him good cheer, and money for his return to London. Munden again returned to the law, but once more emerged from it, and joined a company at Leatherhead, as a representative of old men. That theatre was burnt; and Munden next played at Windsor, with tolerable success at half a guinea per week; and subsequently at Colnbrook and Andover. He returned to London, and thence went to Canterbury, in 1780, to play low comedy characters, where he first became "a favourite." After other provincial engagements and a short trial of management at Sheffield, Munden appeared Dec. 2, 1790, (a few nights after the first appearance of Incledon) at Covent Garden theatre, as sir Francis Gripe in the Busy Body, and Jemmy Jumps in the Farmer; his success in which parts established his popularity. He was the original representative of Old Rapid, Caustic, Brummagem, Lazarillo, (Two Strings to your Bow), Crack, Nipperkin, sir Abel Handy, sir Robert Bramble, Old Dornton, &c. On 31st May, 1824, he took his farewell of the stage, in the characters of sir Robert Bramble in the Poor Gentleman, and Old Dozy, in Past Ten o'Clock. Mr. Munden left a widow, son, and a daughter. His personal effects were sworn under 20,000*l*. Munden's style of acting was exuberant with humour. His face was all changeful nature: his eye glistened and rolled, and lit up alternately every corner of his laughing face.

7. At his house in Summer-hill, in his 76th year, E. Walsh, M.D. for many years physician to the forces.

8. At Trowbridge, Wiltshire, after a short illness, aged 77, the rev. George



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yet never withdrew that kindness, nor, in fact, that partiality, which he had before shown. In the mean time, having explained all the difficulties of his situation to Mr. Burke, and been assisted by that paternally-minded friend in his preparations for holy orders, Mr. Crabbe was ordained a deacon by Dr. Yonge, bishop of Norwich, in 1781, and priest by the same prelate in the following year. He immediately after became curate to the rev. James Bennett, at Aldborough, the place of his birth, and continued a few months in that situation. Through the personal influence of Mr. Burke, he was introduced to the duke of Rutland, who, having invited him to Belvoir Castle, was pleased to retain him there as domestic chaplain. He shortly after undertook the curacy of Strathern, near Belvoir Castle, where he continued to reside until the duke of Rutland's death, which occurred whilst he was lord-lieut. of Ireland, in 1787. As Mr. Crabbe had not the benefit of a university education, it became necessary that he should take the only certain means in his power to obtain a degree. At the desire of his patron his name was entered at Trinity-college, Cambridge; but some offers of preferment required a more immediate application for a degree at Lambeth. This favour was granted by archbishop Moore, and Mr. Crabbe became, in consequence, bachelor of laws. In 1783, lord chancellor Thurlow, through the recommendation of Mr. Burke, presented Mr. Crabbe to the rectory of Frome St. Quentin, in Dorsetshire, which he held for about six years, but where he never went to reside. At the end of that period lord Thurlow, in conformity to the wishes of the duchess of Rutland, presented him with the rectories of Muston in Leicestershire, and West Allington in Lincolnshire. Previously, however, to this change of preferment, he had, on the death of the duke of Rutland, removed from Leicestershire into Suffolk, and with his family (for he was now become a husband and a father), was settled at Sweffling in that county, as curate to the rev. Richard Turner, the minister of Great Yarmouth. In 1785 Mr. Crabbe produced "The Newspaper," a poem which was well received by the public; but from that time he rested content with the literary reputation he had acquired, and committed nothing more to the press until the year 1807, when "The Parish Register" appeared.

It was submitted to Mr. Fox, and in part read to him during his last illness. "Whatever he approved (says Mr. Crabbe in his preface) the reader will readily believe, I have carefully retained; the parts he disliked are totally expunged; and others are substituted, which I hope resemble those more conformable to the taste of so admirable a judge. Nor can I deny myself the melancholy satisfaction of adding that this poem (and more especially the story of Phœbe Dawson, with some parts of the second book) were the last compositions of their kind that engaged and amused the capacious, the candid, the benevolent mind of this great man." The observations he had made in a populous town and a noisy seaport, were conveyed in "The Borough, a poem; in twenty-four Letters," published in 1810; and "Tales in Verse," which appeared in 1812. After an interval of more than twenty years, Mr. Crabbe returned to his parsonage at Muston, in Leicestershire, and again received the favourable notice of the Rutland family. In 1813 the present duke presented him to the rectory of Trowbridge, and with it to the smaller benefice of Croxton Kerryel in Leicestershire, which the indulgence of the bishop enabled him to hold. To the former place he removed, and from that time he resided in the parsonage, which had been enlarged and made convenient by his predecessor the rev. Gilbert Beresford. Mr. Crabbe's only prose publications were a funeral sermon on Charles duke of Rutland, 1789, preached in the chapel of Belvoir Castle; and "An Essay on the Natural History of the Vale of Belvoir," written for the History of Leicestershire, by Mr. Nicholls, who says, under the parish of Muston, "Mr. Crabbe's communications in the progress of this laborious work are such as to entitle him to my warmest and most grateful acknowledgments."

9. At his residence in the Circus, Bath, aged 72, sir Richard Hussey Bickerton, the second baronet, of Upwood, county of Huntingdon, K.C.B. and K.C., admiral of the Red, general of the Royal Marines, vice-president of the Naval Charitable Society, and F.R.S.

11. At Torquay, aged 36, W. Augustus Lane Fox, esq., brother to Geo. L. Fox, esq. of Bramham Park, Yorkshire,

— At Hoddlesdon, Hertfordshire, aged 90, William Peere Williams Freeman, esq. senior admiral of the fleet.

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This venerable officer was a grandson on his father's side of William Peere Williams, esq. the celebrated law reporter; and on his mother's of Dr. Robert Clavering, bishop of Peterborough.

12. At Lindridge-house, aged 76, Dame Anne de la Pole, mother of sir Wm. Templer Pole, bart.

13. At Yotes-court, in her 20th year, the hon. Frances-Eliz. Byng, twin sister of viscount Torrington.

— Athisson's rectory-house, Dyrham, near Bath, after a very long and severe illness, aged 73, sir George Abercrombie Robinson, of Batts-house, in Somersetshire, Streatham in Surrey, and Nottingham Place in Middlesex, bart. Sir G. A. Robinson was the son of John Robinson, esq. of Calcutta, by his first wife, Margaret, daughter of George Leslie, of Kimrawgie, N.B. He was for some time Military Auditor-general in Bengal; and after his return to this country, had for many years a seat as a Director of the East-India Company. He was created a Baronet by patent dated Nov. 11, 1823.

— Mary, wife of George Twynam, esq. of Whitchurch.

14. At Halberton, Devon, aged 64, Henry Laroche, esq. a captain in the Royal Navy, and one of his Majesty's Justices of the Peace for that county.

15. At Bath, aged 71, John Bliss, esq. M.D. Dr. Bliss was for many years in considerable practice as an apothecary and surgeon at Hampstead, near London, whence he retired, first, to Shaftesbury, and then to Bath. He assisted Mr. J. J. Park, in the botanical department, in the "History of Hampstead," 1810.

— At Brighton, Lady Sophia Lumley, sister to the earl of Scarborough.

16. At Torquay, Miss Anne Law, eldest daughter of the Bishop of Bath and Wells.

18. At Beaumanor-park, Leicester-shire, in his 87th year, Wm. Herrick, esq.

— At Cowick, near Snaith, Yorkshire, aged 66, the right hon. John Christopher Burton Dawnay, in the county of Downe, in the peerage of Ireland (1680); baron Dawnay, of Cowick, in the peerage of Great Britain; and col. of the second West York Militia.

20. At the Royal Academy, Cold Harbour, Gosport, in his 70th year, William Burney, LL. D. Dr. Burney was author of an extensive Marine Dictionary, and other valuable works; and was accustomed to record a series of excellent Meteorological Observations.

21. At Kedleston, Derbyshire, in his 70th year, the hon. and rev. David Francis Curzon, rector of that place and of Mugginton; brother to Lord Scarsdale.

22. In Edward-street, Portman-square, aged 74, Mary Wyndham, wife of the hon. Bartholomew Bouverie (uncle of the Earl of Radnor), and aunt to Lord Arundell.

— At his house, the Hollins, near Bolton, aged 74, Ralph Fletcher, esq.

— At Finningley, near Doncaster, aged 82, Mr. John Bigland, the author of a variety of works. He was a native of Skirlaugh, in Holderness, and the greater portion of his life was spent in the humble occupation of a village schoolmaster. When upwards of fifty years of age, he became an author, and in 1803, he published his first work—"Reflections on the Resurrection and Ascension of Christ." The success of this little volume, made the writer of more consequence both in his own estimation and the estimation of others, and in the following year he published his "Letters on the Study and Use of Ancient and Modern History;" and "Letters on the Modern History and Political Aspect of Europe." From that time he became an author by profession. His subsequent productions are: Essays on various subjects, two vols. 1805; Letters on Natural History, 1806; a System of Geography and History, five vols. 1809; History of Spain, two vols. 1810; History of Europe from the Peace of 1783 to the present time, two vols. 1811, (in a later edition continued to 1814); the Philosophic Wanderers, or the History of the Tribune and the Priestess of Minerva, 1811; Yorkshire, being the 16th volume of the Beauties of England and Wales, 1812; the History of England; Letters on Natural History, from the earliest period to the close of 1812, two vols. 1813 (subsequently continued to 1814); a System of Geography for the use of Schools, 1816; an Historical Display of the effects of Physical and Moral Causes on the Character and Circumstances of Nations, 1817; Letters on French History, 1818; also Letters on English History, and a History of the Jews.

23. In Berkeley-square, Owen Williams, esq. of Temple-house, Berks, M.P. for Marlow in ten Parliaments; brother-in-law to lord Dinorben. He was the son and heir of Thomas Williams, esq. of Llanidan, in Anglesea, a great proprietor of copper works and mines, who

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purchased, in 1788, Temple-mills, in the parish of Bisham, in Berkshire, and erected the mansion of Temple-house, situate on the banks of the Thames.

23. At his house in Park Crescent John Chamier, esq. Mr. Chamier was born in London, about the year 1754, and placed at the Charter-house on the foundation, at the age of ten years, on the nomination of the late Queen Charlotte. He was originally intended for the church, and was a contemporary at the Charter-house with archbishop Manners Sutton, the late lord Ellenborough, and bishop Majendie. The latter prelate has often been heard to say, that he considered Chamier the best latinist he ever knew; and that, in point of elegant scholarship and knowledge of ancient and modern literature, he surpassed all his schoolfellows. There are in the possession of his family several beautiful translations from Roman, Greek, French, and Italian authors, as well as many original compositions, displaying much taste and ability, which were produced by him before the age of sixteen. At that period, instead of proceeding to the University, it was thought advisable that he should accept a writership to India. There, from the year 1772 to 1805, he was employed in the civil service of the company at Madras, and filled most of the principal situations in the political, revenue, and commercial branches, until at last he was appointed a member of the council at that presidency. On his return to England, he settled in the parish of St. George, Hanover-square, actively supported several of the public metropolitan institutions, became treasurer of St. George's Hospital, and served the office of churchwarden, with lord Amherst, in the year 1819. Mr. Chamier retired early from the world, and confined himself for many years to the tranquil enjoyments afforded by a well selected library, and a domestic circle devoted to his comfort and happiness. About 1781 he took by royal license and authority, the name and armorial bearings of his maternal uncle, Anthony Chamier, esq. F.R.S. representative in several parliaments of the borough of Tamworth, and under secretary of state, who, dying in the year 1780 without children, left him sole heir of his property and estates.

24. At Nogent, near Paris, captain Hesse, an aid-de-camp of the duke of Wellington, in a duel at the Bois de

Vincennes, by Comte Leon, in consequence of some disputes which took place at a card party. Mr. Hesse had for his seconds the count d'Esterno, a German, and an English officer; and the seconds of count Leon were colonel Fournier and M. May, another French officer. General Gourgaud and the surgeon-major of the 11th of artillery in garrison at Vincennes, were also present. Scarcely were they placed at the distance agreed upon, when the adversaries advanced five paces towards each other. Mr. Hesse fired first, without waiting, and immediately count Leon fired in his turn, and wounded Mr. Hesse in the chest.

— At Weymouth, Mrs. Mary Sturney, aged 100 years and six months.

— Aged 63, Cecil, widow of Edm. John Chamberlayne, esq. of Mongersbury. She was the third daughter of the hon. and rev. George Talbot, D.D. brother to the first earl Talbot.

— At Leamington, general Alexander Campbell, of Monrie, N.B., colonel of the 32nd foot.

— At Sandhurst, Berks, the rev. John Bayley Somers Carwithen, B.D. vicar of that parish, and of Fremley, Hants. He was born April 10th, 1781, graduated at St. Mary Hall, Oxford, M.A. 1808, B.D. 1825, and was appointed preacher of the Bampton Lectures in 1809, when he chose as his subject "A view of the Brahminical religion, in its confirmation of the truth of the sacred history, and in its influence on the moral character." In 1822 he published two volumes of "A History of the church of England," the narrative of which sound, able, and impartial work, extends to the close of Cromwell's usurpation. The third volume continuing the history to the epoch of the revolution, completely prepared for the press before the death of its lamented author, has been since published.

26. At his residence in Conduit-street, aged 60, Emilius Henry Delme Radcliffe, esq. of Hitchin Priory, Herts, gentleman of the horse to his Majesty. He died suddenly whilst in conversation, at his own house, with the earl of Albemarle and Sloane Stanley, esq. and his death is attributed to the rupture of a blood vessel in the heart.

28. At Warsaw, the celebrated hebraist Chiarini, professor of divinity, Oriental languages, and Hebrew antiquities, in that University, and author of a "Theory of Judaism," written in French,

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in three volumes, which occasioned considerable sensation among literary and religious circles on the continent. He also published in Latin a Hebrew Grammar and Dictionary, which have been translated into Polish; and was the author of a collection of Italian poems. He had undertaken a complete translation of the Talmud, the first part only of which has been printed, but several other portions are left among his manuscripts.

28. At Highgate, in his 90th year, Mr. Joseph Brasbridge, author of an autobiography entitled "The Fruits of Experience."

*Lately.* Mr. Wm. Strutt, F.R.S. of Derby. He possessed a very great knowledge of practical mechanics.

— John Morris, of Kingston, Hereford, esq. He bequeathed the munificent legacy of 10,000*l.* Three per Cents. to the Hereford Infirmary.

— In Chester-street, Grosvenor-place, Charlotte-Catharine Vere, daughter of lieut.-col. Disbrowe, grenadier guards.

— At Oxford, Mr. Charles Vezey, a member of Lincoln college, who cut his throat, it is said, from dread of his examination.

— At Fergus hill house, near Irvine, Scotland, aged 53, Joseph Pearce, esq. captain R.N. formerly of Beaminster, Dorsetshire.

— At Worthing, aged 53, Emily Charlotte, wife of Charles George Beauclerk, of St. Leonard's Lodge, Horsham. She was the second daughter of William Ogilvie, esq. by Emilia Mary, duchess dowager of Leinster.

## MARCH.

2. Aged 92, Ann, wife of William Chapman, of Scole. Although 47 years old when she married, and her husband only 17, who is still living, in his 62nd year, by him she had eighteen children, thirteen sons and five daughters, all of whom lived to the age of maturity except one daughter, who died at the age of 13 years. This remarkable woman seldom took more than two or three hours' sleep out of the twenty-four, and was only a few days previous to her death rendered incapable of attending to her domestic duties. She could see to thread the finest needle.

— At Inverness, aged 64, lieutenant-colonel Robert Gordon, late of the 13th

light dragoons, and formerly of the 34th foot.

— At Brighton, aged 46, lady Anne, wife of sir Charles Chad, bart. and sister to the earl of Winterton.

5. At Simmond's Hotel, Conduit-street, aged 50, Henry James Bouverie, esq. resident commissioner of the customs for Scotland; eldest son of the lady whose death is mentioned Feb. 22d. His servant found him lying on the bed quite dead, with a deep gash across the throat. He had been unusually dejected since the death of his mother.

6. At Yately cottage, after six weeks extreme suffering from a gradual mortification of the foot, Edward James Mascall, esq. late collector of his Majesty's customs for the port of London, and for fifty-two years a meritorious and faithful public servant. He was the author of several publications on the legal and fiscal regulations of his office.

— In Hanover-street, aged 66, the rev. Edward Williams, minister of Hanover chapel, Regent-street. A coroner's inquest returned as their verdict "That the deceased cut his throat while in a state of mental derangement."

— At Devonport, aged 55, the wife of C. B. Ross, esq. commissioner of Plymouth Dock-yard, and sister to sir G. Cockburn, M.P. for Plymouth. The sleeve of her dress having caught fire from the candle, the flames communicated to the upper parts of her dress; she lingered about a week, when death put an end to her sufferings.

9. At Sible Hedingham, Essex, George Fowke, esq. rear-admiral of the red.

10. In Gloucester-place, aged 76, Mary, widow of the most rev. C. Manners Sutton, D.D. late archbishop of Canterbury. She was the daughter of Thomas Thoroton, esq. of Screveton, in Nottinghamshire, was married to the late archbishop, April 3, 1778, and left his widow July 21, 1828.

10. William Townsend, esq. of York-place, City-road, and of Witney, Oxfordshire. He has left to the under-mentioned societies, schools, colleges, and institutions, free from legacy duty, as follows: — London missionary society, 500*l.*; Church, Methodist, Baptist, Moravian, and Home missionary societies, each 200*l.*; academy in Well-street, Hackney, and Highbury college, each 200*l.*; Newport Pagnell academy, Homerton college, Cheshunt college, and Rotherham acade-

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my, each 100*l.*; British and Foreign bible society 200*l.*; Religious tract society 200*l.*; Sunday school society 100*l.*; Hibernian society 200*l.*; Irish evangelical society 200*l.*; Deaf and dumb asylum 200*l.*; Female penitentiary at Pentonville 200*l.*; Blind asylum, Saint George's fields 100*l.*; Society for the relief of poor pious clergy of the church of England 100*l.*; Congregational school society 100*l.*; St. Andrew's school, Holborn 100*l.*; Radcliffe infirmary, Oxford 100*l.*; Oxford lunatic asylum 100*l.*; Sea bathing infirmary, Margate 100*l.*; Continental society 100*l.*; Tabernacle charity school 200*l.*; Sick relief and benevolent society at the Tabernacle 200*l.*; Associate fund for poor ministers 200*l.*; to be invested, and the interest (on the anniversary of Mr. Townsend's birth) to be laid out in the purchase of blankets or clothes for twenty aged men and women resident in or belonging to the parish or hamlet of Witney, at the discretion of the ministers of the Independent and Methodist chapels at Witney. Mr. Townsend's heir-at-law, and one person to be deputed from the Quakers' meeting there, 400*l.*; to be invested and the interest applied for the support of six poor women in alms-houses at Witney, built by Mr. Townsend, and for repair of the alms houses, 2,000*l.*

11. Aged 44, William Hustler, esq. M.A. fellow and late tutor of Jesus College, and upwards of fifteen years registrar of the University of Cambridge.

13. At the vicarage of Great Baddow, Essex, (the residence of his only sister) aged 27, captain Thomas Abercrombie Trant, of the 28th regiment, author of "Two years in Ava," and a "Narrative of a journey through Greece."

14. At his house in the Broad Sanctuary, Westminster, Henry Smedley, esq. Mr. Smedley was born about the year 1785, and was the eldest son of the rev. E. Smedley, usher of Westminster school. He entered, at an early age, as a commoner of Christ church, Oxford, and soon obtained a studentship. He took the degree of B.A. 1807, M.A. 1810. In the year 1806 he was admitted a member of the honourable society of Lincoln's Inn, and called to the bar in Michaelmas term 1812. For some years he went the western circuit, and attended the sessions for the county of Somerset; but, finding the laborious profession of the law unsuited to his inclinations, and

being eager to devote his time and attention to other more congenial pursuits, he soon withdrew from active practice in the courts, and discontinued his attendance at Westminster Hall.

15. At Beardville, near Coleraine, Edmund Alexander M'Naghten, esq. for many years M.P. for the county of Antrim, and late one of the lords of the treasury.

17. In St. James's-square, Bath, in his 84th year, Edward Markland, esq. In 1811, Mr. Markland was appointed one of the police magistrates at Queen-square, Westminster; an office which advancing age and increasing infirmities induced him to resign in 1827.

— At High Legh, Cheshire, in his 65th year, George John Legh, esq.

20. At Egham, aged 78, Catharine, widow of sir Charles Warwicke Bamfylde, the fifth bart.

22. At Weimar, aged 82, John Wolfgang von Goethe, the patriarch of German literature. He was born at Frankfurt, August 28, 1749. He was the son of a gentleman in easy circumstances, who had a great taste for the fine arts, which he had cultivated in Italy. His collection of objects of virtù early attracted the notice of the young poet, who at eight or nine years of age wrote a short description of twelve pictures, which represented the history of Joseph. At the age of fifteen he went to the university of Leipsic; and, after four years residence there, he settled for a short time in Alsace. On leaving Alsace, he returned to his native city, but soon left it again, on a visit to Wetzlar, where a love affair gave birth to his romance of Werther. In 1775 he went to Weimar, on an invitation from the grand duke, whom he met travelling; and there he remained to the end of his life, loaded with all the honours in the gift of his patron. Goethe's first appearance in print was in short articles in the annuals and literary journals. His "Götz with the Iron Hand," founded on an old romance, was published with his name in 1773. His "Sorrows of Werther," in the following year, excited great attention. It was translated into every living language and ran through a multitude of editions in an incredibly short space of time. His two other most celebrated productions were "Faust" and "Wilhelm Meister's Apprenticeship." Goethe retained to advanced age all the



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powers of his comprehensive mind. Having measured its inventive faculties in a variety of composition, he delighted to engage it with the abstrusest problems in science. Comparative anatomy, geology, botany, the theory of colours, &c. were the subjects of his earnest study, and on most of them he wrote. Few men, in the walk where Goethe shone so conspicuously, enjoyed more happiness than he did. His superiority no one attempted to dispute: he maintained a tranquil empire over the literature of his country, which was implicitly acquiesced in by every candidate for literary fame. In his intercourse with the world Goethe acted as a man of practical good sense; his enthusiasm and romanticism he reserved entirely for his productions. During the last two years, and particularly since the death of his son, his spirit lost its energy, and he was but the shadow of that which he once had been. To his daughter-in-law was he indebted for that tenderness and assiduity which soothed his declining years. He expired without any apparent suffering, in his arm-chair, having a few minutes previously called for paper for the purpose of writing, and expressed his delight at the arrival of spring. His death is said to have been occasioned by a severe cold which he had caught; but a long-standing infirmity, and his recent severe domestic calamity, are supposed to have hastened it. By his will, Goethe has provided, that until the year 1850 his apartments are to be continued in their present state, and that none of the literary and scientific treasures he has collected shall be disposed of until that period. He has left his MSS. to Dr. Eckermann, of Hanover, already the editor of a complete edition of Goethe's published works. Among the MSS. is said to be the second part of his incomplete poem of Faust, and several other poems; also a volume of his own life, supplementary to the autobiography already published; and a series of correspondence with his friend the musician Zelter, of Berlin, even more interesting than that with Schiller, which has been already given to the world. The mortal remains of Goethe were deposited on the 26th of March, in the grand-ducal vault at Weimar, near to those of Schiller. The corpse lay in state during the greater part of the day, resting upon pillows of white satin, placed on a couch of black velvet; a wreath of fresh laurel

encircled the head, and a Roman toga, likewise of satin was tastefully disposed round the corpse. On its right was a column, from which a crown of laurel worked in pure gold, relieved with emeralds (a tribute from Frankfort, his native town, on the occasion of his academical jubilee), hung suspended. Behind his head rose another column, to which was attached a lyre and a basket, the latter—enclosing rolls of parchment, symbolical of the writer's literary labours; and a third column was placed on the left of the body, against which his several diplomas were displayed. At the feet were three other columns, from which the insignia of the numerous orders which princely favour and esteem had conferred upon the illustrious departed, were suspended. Large cypresses were disposed behind the couch, and on each side of it stood twenty candelabras of silver; guards of honour of all ranks and classes keeping watch beside them. Three splendid stars, in allusion to Goethe's transition to another world, hung over his remains. Multitudes came from far and near to bid him a last farewell. At five o'clock in the afternoon the corpse was placed in the grand-ducal hearse of state, which was surrounded by the members of the cabinet and household, and those of the learned and scientific bodies; part of the clergy and their assistants, military men, and, in short, almost every respectable inhabitant of Weimar following on foot behind. Amongst this throng of mourners, the students of Jena, with roses attached to their sable scarfs, were not the least conspicuous. The train was closed by a line composed of the grand-ducal carriages, in one of which sat Baron de Spiegel, as the representative of the reigning prince. The chief portion of the clergy in conjunction with a numerous choir were stationed in the sepulchre. A beautiful hymn greeted the entrance of the funeral procession; to this succeeded a discourse, in which the preacher dwelt upon the account which is required at the hands of those on whom nature has shed her richest gifts; and this was followed by one of Goethe's pieces (written in allusion to Schiller) which has been thus translated:

Rest thee soft in heavenly slumbers,  
Near thy friend and Prince reclined;  
For thy life was nobly spent  
In nurturing thine age's mind.  
Till space and time have passed away,  
Thy name shall live in mortal breast;

O



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Then rest thee on thy tranquil couch -  
By earth adored, in Heaven thrice blest.

The music was composed by his oldest surviving friend Zelter, director of the orchestra at Berlin, and performed under the superintendence of the celebrated Hummel. The coffin was then delivered into the custody of the marshal; immediately after which the chapel was cleared, and the ceremonies terminated. The carpet on which the coffin was laid within the chapel, was an heir-loom in Goethe's family; his parents stood upon it at the celebration of their marriage; and, in the instance of the poet himself, it covered the floor on which the several ceremonies of his birth, marriages, and sepulture were performed. The theatre, which had been closed since his death, re-opened the same evening with the performance of his Tasso.

25. In Stratford-place, Harriet, wife of sir Thomas Phillipps, of Middlehill, Worcester, bart. and daughter of lieutenant-general Molyneux.

26. Aged 64, William Kendall, esq. attorney of Exeter. He published, "The Science of Legislation, translated from the Italian of Filangieri, 8vo. 1792;" "Poems," 8vo. 1793.

28. At Newbold-hall, in her 80th year, Selina, widow of sir Thomas Geo. Skipwith, esq. the fourth and last bart. of Newbold.

29. At Streatham castle, aged 61, lady Anna Maria Jessup, sister to the earl of Strathmore.

— At Genoa, aged 53, Maria Christina, queen dowager of Sardinia; aunt to the king of the two Sicilies, the duchess de Berri, and the queen of Spain; niece to the emperor of Austria; and sister to the queen of the French. Her majesty was born January 17, 1779; she was daughter of Ferdinand the fourth, king of the two Sicilies, by the archduchess Mary Caroline, daughter of the emperor Leopold II. She was married April 6, 1807, to Chas. Felix Joseph duke of Genoa, who succeeded his brother Victor Emanuel, on the throne of the two Sicilies in 1821.

• *Lately.* At his residence at Swansea, John Popkin, esq. late of Talygarn, Glamorganshire, aged 88; author of "Observations on the coming of the Son of God to reign on the earth for a thousand years," and numerous religious publications in Welsh and English.

— At Shrewsbury, aged 77, Mr. Robt. Webster, an ingenious clock-maker of

that town, and the inventor of a "spinning wheel" upon an improved principle, one of which he presented to the late queen Charlotte; he likewise obtained a patent for a machine for washing linen.

29. At Grant's Braes, East Lothian, miss Anne Burns, the eldest sister of the Scottish bard, who for nearly half a century was an inmate of the family of her excellent brother Gilbert, whose death occurred in November 1782.

— At Edinburgh, lieutenant-colonel George Hunter, of the Madras native infantry, son of Dr. John Hunter, of St. Andrew's.

— At Edinburgh, lord Newton, one of the Judges of the Court of Session.

— At Versailles, in her 70th year, the hon. Deborah, widow of sir Richard Musgrave, of Turin, in the county of Waterford, bart. and aunt to lord Waterpark.

At Frankfort, his native city, full of years and honours, the celebrated Sommering, whose numerous and splendid works on anatomy, particularly those on the different organs of sense, have long placed him at the head of the anatomists of Germany, and probably of Europe. He was a foreign member of the royal society of London.

At the hotel of Invalids at Murano, near Venice, an old soldier, named John Chlossick, aged 117 years.

— At Corsham, Wilts, Mr. J. Tayler, author of "Poetic Buds," "The Sabbath Minstrel," &c. aged 25.

— At Shillingthorpe, in the house of Dr. Willis, aged 52, the hon. George Tobias Skeffington Mathew, only surviving brother and heir presumptive to the earl of Llandaff.

## APRIL.

3. At Upper Clapton, Christopher Richmond, esq. of the Middle Temple, barrister-at-law, late of Stockton-upon-Tees.

— At Torquay, aged 86, Susanna, widow of the hon. John Grey, uncle to the earl of Stamford and Warrington.

— At Paris, M. Martignac, ex-premier of France. He was distinguished, for the last fifteen years, as one of the most eloquent speakers in the French chamber; but up to the termination of M. Villèle's ministry he acted only in inferior offices. On the French expedition to Spain, M. de Martignac, was employed by Villèle as the guiding ge-

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nus of the Duc d'Angoulême. M. de Martignac took a part in the overthrow of his former patron, M. de Villèle, and succeeded to his power. He remained in office for about a year, when he was succeeded by prince Polignac. At the trial of the ex-ministers, he made an eloquent speech in their defence; his health had failed from the period of that exertion. He had announced a history of his Spanish mission, but a fragment only has appeared, in the shape of a pamphlet.

4. Of cholera, a few hours only after the commencement of the attack, J. Marshall, esq. mayor of Queenborough.

5. At Mountcharles, in the county of Donegal, lieutenant-gen. John Hughes, of Balkissock.

6. At Paris, Catherine Creighton, wife of sir George Beeston Prescott, bart. of Theobald's park, Herts.

7. At Paris, aged 41, M. Jean Francois Champollion le jeune. Since his return from Egypt, he had been engaged in arranging the extensive materials collected during his travels. Just before his decease he had completed a grammar of the language of the ancient Egyptians.

11. In Dublin, in his 80th year, Col. Charles Handfield, of Hermitage, near Lucan, for 24 years Commissary-general of Ireland.

14. At his house, Jassy, near Paris, major Macdonnell, formerly of the 17th light dragoons.

— At Gore-house, Kensington, aged 67, Frances, wife of the hon. Thomas Windsor.

— At Drumlough, co. Down, sergeant Arthur Johnston, of his majesty's 1st regiment of foot, aged 105 years. He served in the army 21 years, and received a pension for the period of 61 years. When in his 90th year he was married to a woman about 30 years of age.

15. At Portsmouth, aged 60, sir George Garret, of East Cosham house.

— At Yarmouth, in his 69th year, the rev. Edward Valpy, B.D. rector of All Saints, Thwaite, and vicar of St. Mary's, Walsham, Norfolk. He was a brother of the rev. Richard Valpy, D.D.; under whom he was for many years engaged in Reading school; serving at the same time the church of Stanford Dingley, Berks, a living in the possession of the family. In 1810 he was elected High Master of Norwich school, which he raised to an unprecedented height of prosperity. His publications were "Second Latin

Exercises, *Elegantiae Latinae*, illustrative of the elegancies of Latin Prose, in exercises for the use of Schools," 12mo. 1803; "The Greek Testament," with English notes, partly original, and partly selected from the best commentators, in 3 vols. 8vo. 1815.

16. At Dublin, John Bernard, esq. of Ballingar, co. Kerry. While attending a field-day in the Phoenix-park, his horse, on the first discharge of the cannon, took fright, when he was thrown; he expired in about an hour after.

16. At his cottage in the vale of Evesham, Worcestershire, Muzio Clementi, the celebrated pianist. He was born in the year 1752, in Rome, where his father was a chaser and embosser of silver vases and figures for the church service. He was related to Buroni, afterwards principal composer at St. Peter's, from whom he received his earliest lessons in music. At six years of age he commenced solfa-ing; at seven he was placed under an organist of the name of Cordicelli, for instruction in thorough bass, and proceeded with such rapidity, that at nine years old he passed his examination, and was admitted to an organist's place in his native city. His next masters were Santarelli, and Carpini, the deepest contrapuntist of his day in Rome. While studying under Carpini, and as yet little more than twelve years old, young Clementi wrote, without the knowledge of his master, a mass for four voices, which was so much admired by his friends, that at length Carpini desired to hear it: although not much addicted to bestowing praise, even Carpini could not refuse his tribute of applause, adding, however, what was probably very true, that if the youthful composer had consulted his master, "it might have been much better."

About this time young Clementi's proficiency on the harpsichord attracted the notice of Mr. Peter Beckford, then on his travels in Italy. Mr. Beckford prevailed on the parents to consign their son's future education to his care, and brought him to his seat in Dorsetshire. Clementi, young as he was, adhered strictly to a regular apportionment of his time; his sleep, his meals, his relaxation, and his studies, had each their fixed duration. His success was equal to his zeal and assiduity: at eighteen he not only surpassed all his contemporaries in execution, taste, and expression, but had already composed (though it was not

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published till three years after) his celebrated Opera 2. The period arranged by his father for his stay with Mr. Beckford was no sooner completed, than Clementi commenced his career in the metropolis, where he was speedily engaged to preside at the harpsichord in the orchestra of the king's theatre. His reputation increased so rapidly, that he soon received as high remuneration for his lessons or performances as any of his most celebrated contemporaries. In 1780, at the suggestion of Pacchierotti, he determined to make a tour on the Continent, whither his compositions and the fame of his talents had long preceded him. In Paris he remained till the summer of 1781, when he proceeded by the way of Strasburg and Munich, to Vienna, enjoying everywhere the patronage of sovereigns, the esteem and admiration of his brother musicians, and the enthusiastic applauses of the public. In Vienna he became acquainted with Haydn, Mozart, Salieri, and many other celebrated musicians then resident in that city; and played alternately with Mozart, before the emperor Joseph II, and the grand duke (afterwards emperor) Paul of Russia and his consort. In the course of his tour on the Continent, Clementi had written in Paris his Operas 5 and 6, and in Vienna, his Operas, 7, 8, 9, and 10. On his return to England he deemed it necessary to publish his celebrated toccata, with a sonata Op. 11, a surreptitious and very erroneous copy having been printed without his knowledge in France. About the same time he published his Opera 12, on the 4th sonata of which Dr. Crotch and Mr. S. Wesley afterwards gave public lectures. In 1783, J. B. Cramer, then about fourteen or fifteen years old, and who had previously received some lessons from Schroeter, and was studying counterpoint under Abel, became his pupil, and attended him almost daily, until Clementi went again, for a short time, to Paris; whence, however, he returned the following year. From 1784 to 1802 he continued in London, pursuing his professional career with increasing reputation as an instructor, composer, and performer. The number of excellent pupils formed by him during this period, proves his superior skill in the art of tuition; the invariable success which attended his public performances attest his pre-eminent talents as a player; and his com-

positions from Op. 15 to 40, as well as his excellent "Introduction to the Art of Playing the Piano-forte," are a lasting proof of his application and genius. About the year 1800, upon the failure of the house of Longman and Broderip, by which Mr. Clementi lost considerably, he was induced, by the representations of some eminent mercantile men, to engage in the music-publishing and piano-forte manufacturing business. A new firm was quickly formed, at the head of which was Mr. Clementi's name; and from that period he declined taking any more pupils, but dedicated the time which was not demanded by his professional studies or mercantile engagements, to improving the mechanism and construction of the instrument, of which he may be said to have first established the popularity. It was soon after his becoming a partner in this house, that he arranged Haydn's oratorio, "The Creation," for the piano-forte and to English words. Availing himself of the peace of 1802, Mr. Clementi proceeded in the autumn of that year, for the third time, to the Continent; where he remained eight years. He set out accompanied by his favourite pupil, Field, whose early perfection he had equal pride and satisfaction in exhibiting to the audiences of Paris and Vienna. He afterwards took him to Rome, where he introduced him to all his friends, and laid the foundation of his fortune. He also at this period assisted the rising talents of Zeuner, Klengel, and Kalkbrenner. In Berlin, Clementi married his first wife, and soon after set out with his bride on a tour to Rome and Naples; returning to Berlin only to lose his partner in childbed. To dissipate the sorrow occasioned by the loss of a beloved wife, the widower had recourse to travel, and accompanied by another promising young pupil, Berger, he set off for Petersburg, where he found his old friend and scholar, Field, in the enjoyment of all that reputation and talent could give him—in fact the musical idol of the Russian capital. After a short stay in Russia, he proceeded to Vienna. The death of his brother now called Mr. Clementi to Rome, to arrange the family affairs; which done he was anxious to return immediately to England. But so completely had the war interrupted all communication, that for some time he had not even received remittances from London, and had been obliged to live upon the proceeds of the snuff-boxes and

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rings which had been presented to him in the course of his travels : and the attempt to proceed from any part of the Continent, within his reach, to England, was attended not only with difficulty but danger. At length, in the summer of 1810, he found an opportunity, which, though hazardous, he did not hesitate to embrace, and landed in safety on the British shores. In the following year he married Miss Gisborne. During the period of his residence on the Continent he had published only a single sonata. Op. 41: his first publication after his return was, an "Appendix" to his "Introduction to the Art of playing on the Piano-forte." Subsequently he adapted the twelve grand symphonies of Haydn, for piano-forte, flute, violin, and violoncello; the "Seasons" of Haydn, for voices and piano-forte; Mozart's overture to "Don Giovanni," and various select pieces from the vocal works of the same great master. In the years 1820 and 1821 he published several original works for the pianoforte; his sonata Op. 46 (dedicated to Kalkbrenner,); his capriccios Op. 47; a fantasia Op. 49; a set of sonatas Op. 50 (dedicated to Cherubini); and an arrangement of the six symphonies of Mozart, for the piano-forte with accompaniments. In the meantime he also gave the musical world two elementary books, of the highest value; his "Practical Harmony," which was published in four volumes, between 1811 and 1815; and his "Gradus ad Parnassum," in three volumes. From the moment of his return to England, Clementi determined neither to take pupils nor to play in public; and only in two instances (out of the bosom of his own family, or the circle of his immediate friends) were his fingers heard on the keys in a solo; the first, at one of the Philharmonic Concerts, in a symphony of Haydn; and the second, and last, at the dinner, to which the profession invited their veteran associate in the year 1827.

18. At Paris, of cholera, aged 64, Mr. J. M'Creery late of London, printer, and author of "The Press," a poem; with other pieces.

— At Madely manor-house, in his 50th year, Foster Cunliffe Offley, esq. M.P. for Chester, eldest son and heir apparent of sir Foster Cunliffe, bart.

19. At Bruges, in his 58th year, the right hon. Camden Grey Maclellan, lord Kirkcudbright, in the peerage of Scotland,

20. At Devonport, after a long and painful illness, aged 44, lieut.-colonel Charles Dashwood, C.B. a groom of his majesty's privy-chamber; brother to sir George Dashwood, bart. of Kirklington-park, Oxfordshire.

— At his seat, Hoathfield Place, Kent, in his 62nd year, the right hon. Charles Tufton, tenth earl of Thanet (1628), baron Tufton, of Tufton, in Sussex (1626), and eleventh baronet (1611); hereditary sheriff of Westmoreland.

21. At Hastings, aged 70, Maria-Theresa, wife of sir James Crauford, of Kilbirney, co. Stirling, bart. and aunt to lord Gage.

— At Boulogne-sur-mere, after an illness of two days, John Walmesley, esq. late of the Temple, eldest son of John Walmesley, esq. of Ince, Lancashire, and of the Circus, Bath.

— Of cholera morbus, aged 60, lady Anne-Barbara-Frances Wyndham, mother of lord Durham, and sister to the earl of Jersey, the duchess of Argyle, and lady Ponsonby.

22. At North Stoneham House, aged 56, Joseph Gubbins, esq. a retired major-general in the army.

— M. Lethiere, the painter of the celebrated picture of the Judgment of Brutus.

23. At Paris, Mary, wife of W. Hamilton Bunbury, esq. daughter of the late Wm. Russell, esq. of Brancepeth-castle, Durham, and sister to the present Wm. Russell, esq. M.P. for that county.

28. At Fontainebleau, whilst on a visit to major Sherwell, the rev. Caleb Colton, author of "Lacon." Mr. Colton was educated at Eton and King's college, Cambridge. In 1801 he was presented by the college to the perpetual curacy of Tiverton Prior's Quarter, in Devonshire, which may be held together with a fellowship; and where he continued to reside for many years. His first publication was in 1810. It was "A plain and authentic narrative of the Sampford Ghost;" in which he asserted his confident belief in the supernatural agency of the disturbances at Sampford, and wound up all, by placing in the hands of the mayor of Tiverton a bond, by which he engaged to pay 100*l.* to any one who could explain the cause of the phenomenon. His next publication was "Hypocrisy, a Satirical Poem," which was welcomed but coldly by the public, in 1812. This was followed by the

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poem of "Napoleon" which evinced much poetical talent. Towards the end of the year 1820 appeared "Lacon, or Many Things in Few Words, addressed to those who think," a thin, ill-printed seven-shilling octavo. It attracted much attention and praise: and when we find that the 6th edition of "Lacon" appeared in 1821, we need not wonder that "Lacon, Vol. II." appeared in 1822. In 1822, also, Mr. C. republished his "Napoleon," with extensive additions, under the title of the "Conflagration of Moscow." He some time afterwards absconded from his creditors, who struck a docket against him as a wine-merchant. In Nov. 1827, on the latest day allowed by law, he appeared to take re-possession of the vicarage of Kew, to which he had been presented in 1818; but in 1828 he finally lost it, by lapse, and the college appointed a successor. For the next two years he was in America, travelling through the United States; from thence he transferred his residence to the Palais Royal. He there expended considerable sums in forming a picture gallery, and every nook of his apartment was filled with valuable paintings. He then became known in the gaming 'salons' of the Palais Royal,—and so successful was he, that, in a year or two, he is said to have acquired 25,000*l*. But inveterate attachment to the gaming table again rendered him a beggar, and his excesses brought on a disease, to remove which a surgical operation became indispensable. The dread of this operation produced such an effect upon Mr. Colton's mind, that he became almost insane, and finally blew out his brains, in order to avoid the pain of the operation. During his residence at Paris he had only one room, kept no servant (unless a boy to take charge of his horse and cabriolet); he lighted his own fire, and performed all his other domestic offices himself. He printed at Paris, for private circulation, "An Ode on the Death of Lord Byron," and continued to occupy himself in literary composition. He has left a poem of 600 lines, called "Modern Antiquity," a title derived from the fanciful argument that the present generation are the true ancients, as belonging to the most advanced period of the world.

29. At Winchester college, in his 84th year, the right rev. George Isaac Huntingford, D.D. Lord Bishop of Hereford, Warden of Winchester college, F.R.S. He was born at Winchester in 1748;

was educated there under Dr. Warton, and thence elected to New college, where he attained the degree of M.A. in 1776. In 1772, on the death of his brother the rev. Thomas Huntingford, he succeeded him in the mastership of Warminster school. He afterwards became an assistant at the celebrated school to which he owed his own education. In 1781, he printed a private edition of fifty copies of some Greek monostrophic odes, characterised by eminent simplicity. In the following year they were printed by Mr. Nichols. Mr. Huntingford published in 1782 the first part of his "Introduction to the Writing of Greek," after the manner of Clarke's Introduction to Latin; and in 1788, "Ethic Sentences, by writing of which boys may become accustomed to the Greek characters." Another classical work was a Latin interpretation of Ælian. In 1789 he published a sermon preached in the Cathedral Church of Salisbury, at the triennial visitation of the lord bishop. In the same year he was appointed warden of Winchester college. In 1793, he published a sermon preached before the House of Commons; in 1795 and 1797, two volumes, each containing twelve Discourses; and in the last-named year, also, a discourse preached before the Hampshire Fawley Volunteers. In 1800 he published, "A Call for Union with the Established church, addressed to English Protestants; being a compilation of passages from various authors." It was dedicated to Mr. Speaker Addington, who had been his pupil at Winchester; and who, after becoming prime minister, in the following year, advanced him to the bishoprick of Gloucester. From Gloucester Dr. Huntingford, after he had previously declined translation, was in 1815 promoted to the see of Hereford. His publications, whilst on the Bench, were almost entirely professional. Bishop Huntingford never married; and his motive for continuing single in early life was highly honourable. His elder brother, before-mentioned, the master of the Free Grammar school at Warminster, died in 1772, leaving a young family, the entire care of whom their uncle took upon himself, and they were subsequently brought up at his expense.

— In Bow-street, aged 72, sir Richard Birnie, knt. chief magistrate of that office. He was a native of Banff, in Scotland, and was born of comparatively humble



but respectable parents. He was bred to the trade of a sadler, and, after serving his apprenticeship, came to London, and obtained a situation as journeyman at the house of Macintosh and Co. who were then saddle and harness makers to the royal family, in the Haymarket. He soon recommended himself to the favourable notice of his employers by his application and industry. His subsequent advancement in life, however, may be attributed in some degree to accident. The foreman, as well as the senior partner in the firm, being absent, from illness, at the same time, and a command being received from his royal highness the prince of Wales for some one to attend him to take orders to a considerable extent on some remarkable occasion, young Birnie was directed to attend his royal highness. The orders of the prince were executed so completely to his satisfaction, that he often afterwards, on similar occasions, desired that the "young Scotchman" might be sent to him. By the exercise of diligence, perseverance, and honesty, he at length became foreman of the establishment of the Messrs. Macintosh, and eventually a partner in the firm. In the mean time, he had married the daughter of an opulent baker in Oxendon street, acquiring in her right a considerable sum in cash, and a cottage and some valuable land at Acton, Middlesex. He then became a housekeeper in Saint Martin's parish, and soon distinguished himself by his activity in parochial affairs. He served successively, as he has been often heard to state with exultation, every parochial office except those of watchman and beadle. He was a warm loyalist, and enrolled himself as a private in the Royal Westminster Volunteers, in which corps, however, he soon obtained the rank of captain. After serving the offices of constable, overseer, auditor, &c. in the parish, he became, in the year 1805, churchwarden; and in conjunction with his co-churchwarden, and the then vicar of St. Martin's parish, founded the establishment, on a liberal scale, of a number of almshouses, together with a chapel, called Saint Martin's chapel, for decayed parishioners, in Pratt-street, Camden-town, an extensive burying-ground being attached thereto. St. Martin's parish being governed by a local act of parliament, two resident magistrates are necessary; and Mr. Birnie was, at the special request of the late duke of Northumberland,

placed in the commission of the peace. From this time, he betook himself to frequent attendances at Bow-street office, and the study of penal statutes and magisterial practice in general. He was in the habit of sitting in the absence of sir Richard Ford, Mr. Graham, and other stipendiary magistrates of the day, and was considered an excellent assistant. He was at length appointed police magistrate at Union-hall, and, after some few years' service there, was removed to Bow-street office, to a seat on the bench of which, he had long most earnestly aspired. In February, 1820, he headed the peace-officers and military in the apprehension of the celebrated Cato-street gang of conspirators. Sir Nathaniel Conant, the chief magistrate, died shortly after, and Mr. Birnie was greatly chagrined at the appointment of sir Robert Baker, of Marlborough-street, to the vacant office. In August, 1821, at the funeral of queen Caroline, sir Robert Baker having declined reading the Riot Act, which Mr. Birnie deemed necessary, in consequence of the disposition which the mob evinced. Mr. Birnie took the responsibility on himself and read it. Sir Robert retired from the chair immediately afterwards, having given offence to the ministry, by his want of decision; and Mr. Birnie was appointed to the office of Chief Magistrate, and had the honour of knighthood conferred upon him on the 17th of September following.

30. By throwing himself from the parapet of Waterloo-bridge, aged 60, John Pond, esq. formerly of the E.I.Co.'s service. His derangement of mind was attributed to a favourite nephew's departure for India.

*Lately.* In Grafton-street, Rosina, wife of Robert Parnter, esq. She died from an operation performed on her about a fortnight before, for an extraordinary swelling, or rather bony substance, which had for nearly two years been gradually increasing at the lower part of the skull, near the neck. The operation of sawing through this ossification lasted half an hour.

— At Ludlow, in his 63rd year, John Molyneux, esq. youngest son of the late right hon. sir Capel Molyneux, bart. of Castle Dillon, county of Armagh,

— At Bath, Robert Scott, esq. who has bequeathed the following legacies, viz. 1,000*l.* to the British and Foreign Bible Society; 3,000*l.* to the Wesleyan Shetland Mission; 1,000*l.* to the Ge-



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neral Wesleyan Missions; 1,000*l.* to the Itinerant Wesleyan Preachers' Annuitant Society; 300*l.* to the Naval and Military Bible Society; 200*l.* each to the Stranger's Friend Society in London, the Schools at Great Queen-street Chapel, the General Sunday Schools, the Baptist Missionary Society, and the Stranger's Friend Society in Bath; 100*l.* to the Tract Society at New King-street Chapel, Bath; 200*l.* to the Stranger's Friend Society in Bristol; 100*l.* to the Tract Society at King-street Chapel; 200*l.* to the London Missionary Society; 200*l.* to the Hibernian ditto; 200*l.* to the Moravian ditto.

— At Euston-house Academy, Euston-square, the rev. John Evans, B.A., formerly of Bristol. Mr. Evans was a student at Jesus College, Oxford; and formerly kept a school in Lower Park-row, Bristol. He was the author of the following works:—"A Tour through part of North Wales in 1798, and at other times, principally undertaken with a view to botanical researches in that Alpine country, interspersed with observations on its scenery, agriculture, manufactures, customs, histories, and antiquities," 1800, 8vo.—"Letters written during a Tour in South Wales in the year 1803, and at other times, containing views of the history, antiquity, and customs of that part of the principality," 1804, 8vo.—"War not inconsistent with Christianity, a discourse," 1804, 8vo.—"The doctrine of Philosophical Necessity considered in reference to its tendency," 1807, 8vo.—"The Ponderer, a series of essays," 1812, 12mo.—"Remains of William Reed, late of Thornbury, including Rambles in Ireland, Correspondence, Poems, &c., with Memoirs of his Life," 1816, 8vo.—And "a brief History of Bristol."

## MAY.

1. At Bayswater, the wife of sir Robert Graham, late a Baron of the Exchequer.

3. At Nice, aged 60, the Right hon. and rev. William Crosbie, fourth lord Brandon, baron of Brandon, county Kerry; rector of Castleisland, in the same county.

6. At Paris, Anna countess of Barrymore.

9. At Charlton, Kent, lady Smith, wife of lieutenant-general sir John Smith, R.A.

9. At an advanced age, Mrs. Portia Young, sister of sir W. Young, bart. late governor of the island of Tobago, and daughter of the late sir W. Young, bart. of Delaford, near Iwer, in the county of Bucks.

10. Aged 68, major Thomas Wilkinson Haswell, successively of the 28th and 3rd regiments of foot.

— At Dublin, Mrs. Moore, mother of the Poet.

— At Dover, of paralysis, aged 70, Robert Winthrop, esq. vice-admiral of the Blue.

11. At Newcastle, aged 51, Christopher Cookson, esq. barrister-at-law, recorder of Newcastle, and also of Berwick-upon-Tweed, fifth son of Isaac Cookson, esq. of Whithill near Durham.

— At Alverstoke, near Gosport, aged 83, John Grove Palmer, esq. late of Keppel-street, and for many years his Majesty's Attorney and Advocate-general in the Island of Bermuda.

13. At Rome, Edward Dodwell, esq. only son of the late Edward Dodwell, esq. of Moulsey.

— At his residence in the Jardin des Plantes at Paris, the baron Cuvier, a peer of France, and privy councillor, perpetual secretary of the Academy of Sciences, and member of the French Academy. George Leopold Cuvier, son of an officer in the Swiss regiment of Waldner, was born in August 1769 at Montbeliard. He was educated at the college of Montbeliard, and in the Lutheran religion, which was that of his parents. They destined him to the army; but the youth himself decided for a more studious profession, and directed his views towards the church. He was chiefly incited to this, by knowing that as a candidate for orders he should be sent gratuitously to the University of Tubingen, if his proficiency entitled him to a first place at the examinations. For this he laboured with all his might, and, it is said, deserved it. But the caprice of examiners deprived him of the advantage, and Cuvier was disappointed. Many of his fellow-townsmen, however, aware of the boy's exertion and talent, applied to Prince Frederick of Wirtemberg, who, at their recommendation, appointed Cuvier to the military school at Stuttgart. He remained four years at Stuttgart, and then returned to his parents; but he soon quitted home on the invitation of a schoolfellow, who offered to resign to Cuvier a tuition he could

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no longer keep. Cuvier accordingly removed to Normandy, and assumed the office of instructor to the children of the Comte D'Héricy. Here he found ample leisure for the study of nature; and turned his attention to zoology. In this branch of pursuit Cuvier made such discoveries as at once introduced him to the consideration and friendship of the naturalists of Paris; and M. Geoffroy St. Hilaire offered to undertake a work in conjunction with him. This connexion called Cuvier to Paris, where he established his reputation by an introductory Essay on Zoology. He was soon after appointed to the Professorship of Comparative Anatomy. Napoleon patronized his talents, and raised the Professor into a minister. Under successive grades and titles, during the Imperial reign, he performed the principal functions of Minister of Public Instruction, and in that office became as famed for his reports as in the philosophic chair for his lectures. The restoration of the Bourbons, in 1814, made little change in his position. He was too useful to be set aside. His enemies accused him of a laxity of principle in continuing in place; but he was an administrator, not a politician—his aim was to be useful, and to be employed. On the accession of Louis Philippe he was made a peer, his previous title of baron having been merely nominal.

The Cabinet of Comparative Anatomy, formed wholly by him in the Jardin des Plantes, is a monument of his genius, and is at once the illustration and result of his splendid works on fossil remains and comparative anatomy. Almost up to the day of his death he was employed on his great work on Fishes, of which eight volumes (forming about half) have already appeared; and only the Monday preceding his death, he had detailed to M. Arago the improvements he contemplated making in his various works, to which he intended to devote the whole of the present year.

The last illness of M. Cuvier was only of four days' duration. On the Tuesday preceding, he delivered his usual lecture at the College of France, and on Wednesday occupied the Chair of the Committee of the Council of State. In the afternoon of the latter day, a pain, which he had for some time felt in the right shoulder, increased, and developed itself in a complete paralysis of the œsophagus, which resisted all the efforts of art, and pursued its fatal course, until the

power of respiration was wholly destroyed, and he expired on the Sunday afternoon. He retained his faculties to the last, and was fully aware of his approaching end; in reply to an encouraging remark of one of his physicians on Sunday morning, he said, "I am too good an anatomist not to be aware of my situation; the spinal marrow is attacked, and I cannot live twenty-four hours." On dissection, however, no alteration in the spinal marrow could be discovered—a fact so irreconcilable with the character of the disease, that the anatomists are led to believe that the appearances must have ceased after death. The dissection was performed by Messrs. Alard, Dumeril, Dupuytrin, Orfila, Bielt, Clement, Berard, and Audral; the most remarkable peculiarity was the prodigious developement of the cerebral mass, and the immense number of circumvolutions it presented, which was so extraordinary as to induce them immediately to take a plaster cast of the brain. M. Berard, Professor at the Ecole de Medicine has compared the brain of baron Cuvier with several of the most voluminous brains he could find, and ascertained that its weight was 3lbs. 13½oz, while none of the others exceeded 2lbs. 12½oz.

Although M. Cuvier was in possession of several lucrative appointments, he left no fortune, save his collections and library; for what he gained by science he restored to science, employing nearly his whole income in the purchase of all rarities which could illustrate or be useful in his scientific pursuits. The King has conferred the largest pension at his disposal (6000 francs) on Madame Cuvier; she is to retain her husband's apartments in the Jardin des Plantes; and a commission has been appointed to estimate, for the purpose of purchasing them, his valuable library and collections of natural history.

15. Thomas Gin, miller, of Parkham, having entered on the 100th year of his age the day of his death.

— At Loughton, aged 68, killed by lightning whilst standing under a tree, David Powell, esq., a magistrate for the county.

16. At Paris, of cholera aged 54, M. Casimir Perier, prime minister of France. M. Perier was born on the 12th of October, 1777, at Grenoble. The son of a rich merchant, he at an early age embraced the career of arms, and served in

the Italian campaigns of 1799 and 1800, in the staff of the military engineers. On the death of his father, however, he quitted the army, and devoted himself to commercial pursuits. In 1802, he founded a banking establishment at Paris, and subsequently set up a number of manufactories for cotton spinning and sugar-refining, and also steam flour-mills, all of which were eminently successful. He first became known to the public in 1816, by a pamphlet against the foreign loan system. In 1817 he was elected one of the deputies for the department of the Seine, and from that time until the revolution of 1830 was the firm opponent of every ministry. He particularly distinguished himself by his hostility to the Villèle administration supporting almost singly the opposition, to the famous budget of M. de Villèle. When M. de Polignac became president of the Council, the opposition of M. Perier assumed a more violent character, and he was pre-eminent among the 221 deputies who voted the famous address which led to the fatal Ordonnances of July. When the revolution broke out, he at once avowed himself the advocate of the popular cause, and opened his house as the place of meeting of the deputies who assembled to protest against the illegality of the proceedings of the crown. On the dissolution of the ministry of M. Lafitte, M. Perier was called to the head of the government, and immediately entered into the system of conservative policy which he continued until the close of his career. He combined the advantages of an immense fortune and great mental capacity, talent for business, and the habits of public speaking. By these qualities he continued at the head of affairs for more than a year of troubled politics. The last time he took any important part in the debates in the Chamber of Deputies was on the 20th of March, when he defended the conduct of the government with respect to the events of Grenoble. The last time he was present in the Chamber was on the 29th of March, when he merely brought in several private bills. On the 3rd of April he was attacked by the cholera, and after several relapses, he at length sunk under his sufferings. His remains were buried on the 19th of May with great pomp.

17. At Cheltenham, Thomas Coote, esq, many years chief magistrate of Newfoundland,

19. At Carlisle, Jane, widow of sir Frederick Treise Morshead, bart.

25. At Gaines Hall, aged 74, sir James Duberly.

— At Barton-house, Dawlish, (the residence of his sister, the widow of Admiral Schanck) after a lingering illness, aged 77, the right hon. sir William Grant, formerly Master of the Rolls.

Sir William was born at Elchies, on the banks of the Spey, on the county of Moray; his father, who was originally bred to agricultural pursuits, died collector of the Isle of Man. He was educated with his younger brother, who became collector at Martinico, in the grammar-school of Elgin; and boarded at the house of Mr. John Irvine, nephew to the minister of the church. When the school-house of Elgin was rebuilt about thirty years ago, sir William Grant was one of the first to contribute to that object. Sir William completed his education at the old college of Aberdeen: and then repaired to London, to pursue the study of the law. This course he adopted by the advice of an uncle, who had acquired a considerable fortune by commerce in England, and had been thus enabled to purchase the estate of Elchies, where he had been born. Shortly after being called to the bar, Mr. Grant determined to prosecute his profession in Canada. He arrived at Quebec at the critical period when it was threatened with a siege by general Montgomery; and he is reported to have assisted at the military works, and performed the duties of a volunteer with the utmost intrepidity. In the course of a few years, he was appointed his Majesty's Attorney-general for that province. After a time, he determined to return to the more extended sphere of the courts of Westminster, and, shortly after his return, obtained a seat in the House of Commons. At the general election in 1790, he was returned for Shaftesbury. In 1791 he distinguished himself in a debate relative to the laws of Canada, and in 1792 made a most able, acute, and logical speech in defence of the ministry, on the subject of the Russian armament. After this, his preferment was rapid; he obtained a silk gown, as king's counsel, with a patent of precedence; in 1793 he became a serjeant-at-law; and in the same year was appointed a Welsh Judge, when a new writ was ordered for Shaftesbury on the 20th of June, and he was not re-chosen.

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However, on a vacancy for Windsor, which occurred in the following January, he was elected for that borough: he was at that time solicitor-general to the Queen. In 1796 he was chosen knight in Parliament for the county of Banff. In 1798 he was appointed chief justice of Chester; in 1799 he succeeded the late lord Redesdale as solicitor-general; and on the 20th of May 1801, in consequence of the promotion of sir Pepper Arden to be chief justice of the common pleas, he was nominated master of the rolls. During this period, he rendered essential service to Mr. Pitt and his ministry as a debater in the House of Commons. He continued the member for Banffshire during four parliaments, until the dissolution of 1812; and held the situation of master of the rolls to the year 1817, when he retired with an annual pension of £4,000. Sir William Grant possessed a rare and admirable assemblage of various intellectual talents. The gravity which became his station was united with a lively strength and vigour of understanding. Reserved and sparing in words, he was in thought quick, acute, and penetrating. Diligent and laborious in the discharge of his high duties, he executed them with a facility truly surprising. His judgments, in few but chosen words, touched at once the great points of the case, affording a clue to all its intricacies and enlightening all its obscurities. His calm and dignified self-possession was perhaps, in some measure, constitutional; it may have been produced by a happy temperament, in which passion was lost in the pure exercise of the reasoning faculty. But whether natural or acquired, it was certainly of invaluable service toward the proper exercise of his judicial functions.

27. At Lynn, aged 65, the rev. Arthur Iveson, rector of East Bradenham, Norfolk, perpetual curate of Shouldham and Shouldham Thorpe, and of Tottenhill. At ten o'clock in the evening he was sitting in his room when his son the rev. Thomas Iveson hastily entered, and, after a few desultory remarks, drew from his pocket a pistol, which he discharged at his father; the contents were lodged in the right auricle of the heart. After this he went to the next house, occupied by captain Lake, and informed him of what had taken place, conjuring him at the same time to enter and take possession. The captain proceeded forthwith to the room, where he found the

venerable man gasping for breath; he died in less than twenty minutes. The son remained in the kitchen, where he was found by the officers of justice, having first taken the opportunity to swallow a large quantity of laudanum.

28. At Croydon, captain Charles Elton Prescott, director of the East India Company, and of the West Middlesex Water Works. He was cousin-german to sir George-Beeston Prescott, of Theobald's-park, Hertfordshire, bart., being the second son of Thomas Prescott, esq. of Vienna, by Augusta, dau. of sir Charles Frederick, K.B. surveyor-general of the ordnance. His name of Elton he derived from his paternal grandmother Mary, daughter of Jacob Elton, esq. of Bristol, third son of sir Abraham Elton, the first baronet of that family.

29. At Vernon-castle, aged 34, Edw. Thos. Stanley, esq. eldest son of the late hon. Edward Thos. Stanley.

— At the house of his son, Dr. Burder, in Brunswick-square, aged 80, the rev. George Burder, senior minister of Fetter-lane Chapel, for many years gratuitous Secretary to the London Missionary Society, and editor of the Evangelical Magazine. Mr. Burder was for upwards of twenty years minister of west Orchard Chapel, Coventry; and for twenty-nine years, until within a few weeks of his death, he had officiated at Fetter-lane Chapel. He was the author or editor of the following publications:—Bunyan's Pilgrim's Progress, with notes, 1786. Evangelical Truth Defended, 1788. Collin's Weaver's Pocket Book, or Weaving Spiritualized, 1794. Abridgement of Owen's Treatise on Justification by Faith, 1797. The Welsh Indians; or, a collection of papers respecting a people whose ancestors emigrated from Wales to America, in the year 1170, with Prince Madoc, and who are said now to inhabit a beautiful country on the west side of the Mississippi, 1797. The life of the late rev. John Machin, formerly minister of the parish church of Astbury, Cheshire; with a recommendatory preface, by sir Charles Wolseley, 1799. Village Sermons, in six volumes, 1799-1812; a work which has been highly popular among his fraternity. Bunyan's Holy War, with notes, 1803. Howel's History of the Holy Bible, enlarged and improved, 1805. Mather's Essays to do Good, revised and improved, 1807. Missionary Anecdotes, 1811. Henry's Family Bible, with improvements, in

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conjunction with the rev. Joseph Hughes, 4to.

30. At his house in Langham-place, aged 69, the right hon. sir James Mackintosh, knt. a Privy Councillor, one of the Commissioners for the affairs of India, M.P. for Knaresborough, and D.C.L. Sir James Mackintosh was born at Alldowrie, in the county of Inverness, Oct. 24, 1765. His father, Capt. John Mackintosh, of Kellachie, was the intimate companion of Major Mercer, who thus spoke of him, in a letter to Lord Glenbervie—"We lived together for two years in the same tent, without an unkind word or look. John Mackintosh was one of the liveliest, most good humoured, gallant lads I ever knew." Capt. Mackintosh, being stationed at Gibraltar, left his children, consisting of two sons and a daughter, in the care of their grandfather. Sir James was educated at Fortrose, under Mr. Stalker, and at King's College, Aberdeen, under Mr. Leslie. He also received instructions under James Dunbar, LL.D. Professor of Moral Philosophy, and Mr. Wm. Ogilvie, Professor of Humanity. The late rev. Robt. Hall was his intimate companion. With a view to the study of medicine as a profession, he repaired to Edinburgh, attended the lectures of Dr. Cullen and Professor Black, and became a member of the Royal Medical Society, and also of the Speculative Society, originally instituted in 1764, for the purpose of improvement in public speaking. Among his intimate friends at Edinburgh were Adam Smith and the Earl of Buchan. In 1787, he took the degree of M.D. on which occasion he composed a Latin thesis, "*De Actione Musculari*." He then travelled southward, in company with the eldest son of sir James Grant, of Grant, who about that period became Knight of the Shire for the county of Moray, and might have rendered essential service to the young physician, had he not shortly after fallen into a state of ill health, which obliged him to retire from active life. In the mean time the attention of Mr. Mackintosh was diverted from his professional studies to the science of politics; and in 1789 he published a pamphlet on the Regency question, in which he supported the views of the Whigs. Among the numerous essays on the same subject, however, this pamphlet did not attract attention; and the author shortly after repaired to Leyden,

and afterwards visited Liege, in which city he was an eye witness of the memorable conflict between the Prince Bishop and his subjects, a forerunner of the French revolution. On his return he relinquished the use of his medical degree, and entered himself of Lincoln's Inn. In 1789 he married Miss Stuart, of Gerrard-Street, sister to Mr. Charles Stuart, the author of several dramatic pieces. It was not until 1791 that the name of Mr. Mackintosh became known to the world. He then suddenly acquired considerable celebrity as the antagonist of Mr. Burke, in "*Vindiciæ Gallicæ*, or a Defence of the French Revolution and its English admirers, against the accusations of the right hon. Edmund Burke; including some strictures on the late production of *Monsieur de Calonne*," an octavo volume of 379 pages. This dissertation he sold, when only partially composed, for a trifling sum; but the publisher presented the author with triple the original price. At the end of four months the two first editions were disposed of, and a third appeared at the end of August 1791. The talent displayed in this work procured him the acquaintance of Sheridan, Grey, Whitbread, Fox, and the Duke of Bedford. The *Vindiciæ Gallicæ*, however, had not been very long published, before Mr. Mackintosh was accidentally led to a correspondence with Mr. Burke, on behalf of a third party. This led to an interview, and to a visit to Beaconsfield; and on his return to town he frankly owned to his private friends, that he was a convert to the arguments of his quondam antagonist. In the mean time, Mr. Mackintosh had been called to the bar, but did not for some years attain any considerable practice. As the means of enlarging his income, he was induced to resort to a course of subscription lectures, which were delivered in the Hall of Lincoln's Inn. It is said that the benchers at first refused him the use of their Hall, and that it was not granted until after the repeated request of Mr. Pitt and Lord Loughborough. The lectures were most respectably attended, and their substance was published under the title of "*A Discourse on the study of the Law of Nature and of Nations*," and "*Discourses on the Laws of England*." Their author was called to the bar in 1795. About this time Mr. Mackintosh lost his first wife. In 1798 he married,



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secondly, a daughter of J. B. Allen, esq. of Cressella in Pembrokeshire. After the general election in 1802, Mr. Mackintosh was retained as counsel in several controverted cases, and acquitted himself ably before Committees of the House of Commons. In 1803, he greatly increased his celebrity by his speech delivered in defence of the French journalist Peltier, who was tried at the suit of the Attorney-general for libels on the First Consul of France. Mr. Mackintosh held for some time the appointment of Professor of General Polity and of law in the East India College at Hertford; from that situation he was removed to the office of Recorder of Bombay, on which occasion he received the honour of knighthood, Dec. 21, 1803. His departure from India in Nov. 1811, was hastened by a severe illness; he retired from the Recordship with a pension of 1200*l.* from the East India Company. After his return, he obtained, in July 1813, a seat in the House of Commons, as member for the county of Nairn. In 1818 he was elected for Knaresborough, through the influence of the Duke of Devonshire; and was re-chosen at the subsequent elections of 1820, 1826, 1830, and 1831. He was appointed one of the Commissioners for the affairs of India, Dec. 1, 1830. He was elected Lord Rector of the University of Glasgow in 1822, and again in 1823. Sir James Mackintosh had great disadvantages to contend against as a speaker. Amongst the most prominent was a harsh voice, a strong provincial accent, and an uncouth delivery. But the warmth of his feelings, the power of his language, and the frequent depth of his reflections, enabled him to triumph over every defect. As a writer he was slow, laborious, and fastidious. He was the author of several articles in the *Monthly Review*, particularly those on Burke's *Regicide Peace*, and Gibbon's *Historical Works*; was a frequent contributor to the *Edinburgh Review*, and wrote a dissertation on the History of Ethical Science prefixed to the supplement to the *Encyclopedia Britannica*. He had been unwell for some time before his death; but the attack, of which he died, originated in an accident. About the beginning of March, while at dinner, a portion of the breast of a boiled chicken remained in his throat, and gave rise to distressing symptoms. At the end of two days the obstruction was removed by an emetic,

and it was found to consist of the flesh of the chicken, with a portion of thin bone projecting at one side in a sharp point. The effects of the accident completely unsettled his general health. He anticipated the near approach of his dissolution with the most perfect resignation, retaining nearly to the last the command of the powerful and mental faculties which distinguished him through an arduous life.

31. At Fermoy, in a duel with col. M'Donald of the 92nd, capt. Markham, of the 58th regiment, son of the arch-deacon of York.

— In Upper Seymour-street, aged 56, the right hon. lady Charlotte, wife of rear-admiral Adam Drummond, and eldest sister to the late duke of Atholl.

— At Clapham, aged 48, Miss Elizabeth-Anne Stuart, only surviving daughter of James Stuart, esq. author of the *Antiquities of Athens*.

*Lately.* At Cork, sir H. Browne Hayes, knt. He served many years at Botany Bay, a commuted sentence for the abduction of a rich quakeress, Miss Pike, of Cork; and wastwice shipwrecked.

At Kilmaden, county of Waterford, J. Backas, who would have been 105 in June. A few months ago he was employed driving cattle, and until within the last six years he worked at his ordinary occupation of tilling the ground.

At Ditchingham-lodge, Suffolk, aged 72, Samuel Sutton, esq. rear-admiral of the red, deputy-lieutenant and magistrate for the counties of Norfolk and Suffolk.

In his 76th year, at his house in Great Russell-street, Bloomsbury, John Taylor, esq. a gentleman connected, for upwards of fifty years, with the periodical press, and well known for his numerous contributions to the theatres, in the form of poetical sketches, prologues, epilogues, and addresses. He was the grandson of the famous chevalier John Taylor, oculist to the principal sovereigns of Europe, and son to John Taylor, the chevalier's son and successor, who was for many years oculist to his Majesty George III. The late Mr. Taylor's attachment to the stage began early in life. In 1795 he published a pleasing poem, entitled *The Stage*. In 1811, he published *Poems* on several occasions, consisting of *Sonnets*, *Miscellaneous Poems*, *Prologues*, and *Epilogues*, *Tales* and *Imitations*, &c. 12mo. all of which were reprinted in 1827, except the *Caledonian Sonnet*, which first



appeared in 1810, and was written in ridicule of the "old ballad style of poetry" adopted by Sir Walter Scott. This last collection appeared in 1827, entitled, *Poems on various Subjects*, 2 vols 8vo. published by subscription. About sixty years ago, he was connected with the *Morning Herald*, when under the management of the Rev. Bate Dudley. Some years afterwards he became editor of the *Sun*, a daily evening paper, but was deprived of his property in it by the misconduct of a deceased partner.

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1. At Paris, aged 60, gen. Lamarque. Maximilian Lamarque was born at St. Sevre. He entered the army as a private soldier; but soon became a captain of grenadiers, and at the age of twenty was adjutant-general. He was engaged in the wars of the Republic; in the campaigns of Austerlitz, Tyrol, Naples, and Wagram; in Calabria, and afterwards in the campaigns of Spain. He did not return to France until 1814; and was not employed during the first restoration. Napoleon, on returning from Elba, gave him successively the command of Paris, and of a division on the Belgic frontier; and named him, in May, general in chief of the army of la Vendée. On the second restoration, Lamarque was inscribed on the list of proscriptions of the 24th of July, 1815. After his return to France, in 1818, he published, an essay on "The Necessity of a Permanent Army;" and during late years he contributed to the popular journals many articles, chiefly on foreign politics. In 1826 he was elected to the Chamber of Deputies.

— At Farringdon-house, aged 62, Dorothea, relict of sir John Duntze, of Tiverton, bart.

— In his 76th year, Thomas Triquet, esq., one of the senior cashiers of the bank of England.

— At Grule, in the isle of Sky, aged 108, John M'Pherson. He had lost his hearing twice within the last twenty years, and afterwards regained it; he also lost his sight some years ago, and latterly, in a great measure, recovered it. He had the charge of a fold of black cattle in the memorable year of prince Charles.

2. In Great Ormond-street, aged 82, Charles Butler, esquire, king's counsel. This voluminous author was of a Ro-

man Catholic family, and was nephew to the rev. Alban Butler, author of the *Lives of the Saints*. He was educated at the Roman Catholic academy at Hammersmith, and at the English college of Douay. Having entered himself of Lincoln's Inn, and closely pursued a course of legal study, he first appeared before the public in 1773, in an anonymous Essay on "Houses of Industry." It was written at the request of sir Harbord Harbord (afterwards lord Suffield) and Mr. Chad, in reply to a pamphlet recommending the houses of industry, the production of Mr. Potter the editor of *Æschylus*; and had particular reference to the county of Norfolk. His next publication was an Essay on the Legality of Impressing Seamen, 1778, which was undertaken at the request of Mr. Astle, who had been desired by lord North to procure such a defence of the system of impressment. It went through two editions; some pages in the second edition were written by the earl of Sandwich, then first lord of the Admiralty. It was dedicated to lord Loughborough, then Solicitor-general, whose friendship it procured for Mr. Butler; but the arguments being principally taken from a speech of sir Michael Foster, Mr. Butler did not include it in the collection of his works, edited about 1823. In 1779 Mr. Butler was entrusted by the earl of Sandwich with his defence against the attack of the duke of Richmond in the House of Lords; and he prepared the speech which his lordship delivered on that occasion. About the same time, Mr. Butler amused himself, in conjunction with his friend, the celebrated Mr. Wilkes, in an enquiry into the authorship of Junius. The result was communicated to a friend in a letter which was inserted, without his knowledge, in the *Anti-jacobin Review*. It is reprinted, with additional remarks, in his "Reminiscences," vol. i. pp. 75-114, vol. ii. pp. 120-126. His next literary exertion was the continuation and completion of Mr. Hargrave's edition of Coke upon Littleton. In 1797 Mr. Butler printed his "*Hæc Biblicæ*." It is divided into two parts; the first of which contains an historical and literary account of the original text, early versions, and printed editions of the Old and New Testament: the second of the Koran, Zend-Avesta, Kings, and Edda, the works accounted sacred by the Mahometans, Parsees, Hindus, Chinese,

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and Scandinavian nations. There have been five editions of the *Horæ Biblicæ*; and it forms the first volume of Mr. Butler's collected works. It has also been translated into French. In 1804 Mr. Butler published his "*Horæ Juridicæ Subsecivæ*"; being a connected series of notes respecting the Geography, Chronology, and Literary History of the principal codes and original documents of the Grecian, Roman, Feudal, and Canon Laws." It was reprinted in 1807. In 1808, when the emperor of Austria publicly renounced the empire of Germany, a question arose on its territorial extent. This led Mr. Butler to investigations, which produced his "*Succinct History of the geographical and political revolutions of the empire of Germany, or the principal states which composed the empire of Charlemagne, from his coronation in 800 to its dissolution in 1806, with some account of the Imperial House of Hapsburgh, and of the six secular Electors of Germany; and of Roman, German, French, and English nobility.*" Of this work there were three editions. In 1809 Mr. Butler edited the sixth edition of Fearne's "*Essay on Contingent Remainders and Executory Devises.*" Another of Mr. Butler's legal compositions was a short *Essay on the character of lord Mansfield*, written at the request of Mr. Seward, for insertion in his "*Anecdotes.*" Mr. Butler was a constant advocate of his own religious community; although he was in some respects so opposed to the more rigid portion of it, that bishop Milner, on one occasion, spoke of him as "a decided enemy to the hierarchy of his church." His earliest writings, connected with his religious party, were in the three Blue Books privately circulated among the Roman Catholics in 1790-1792, and which were jointly written by Mr. Joseph Wilkes, a Benedictine Monk, and Mr. Butler. An historical account of the laws respecting Roman Catholics, was published by Mr. Butler in 1795; A Letter to an Irish Nobleman on a proposed Repeal of the Penal Laws against the Irish Catholics; and A Letter to a Nobleman on the Coronation Oath,—both in 1801; A Letter to a Catholic Gentleman on Bonaparte's projected Invasion, 1803; A Letter to an Irish Gentleman on the fifth resolution of the English Catholics at their meeting, Jan. 31, 1810; and in 1813, An Appeal to the Protestants of Great Britain and

Ireland. In 1815 Mr. Butler delivered an inaugural Oration, on occasion of the ceremony of laying the first stone of the London Institution. He subsequently drew up the Act of Parliament which secured its prosperity. He soon after published his *Historical Memoirs of the Church of France*, in the reigns of Lewis the fourteenth, Lewis the fifteenth, Lewis the sixteenth, and the French Revolution, in one volume octavo. The same studies led him to several biographical works, which were published in the following order:—The *Life of Fenelon*, Archbishop of Cambray; to which are added the *Lives of St. Vincent of Paul*, and *Henri Marie de Boudon*: a letter on *Ancient and Modern Music*; and *historical minutes of the Society of Jesus*. 1810, 8vo. The *Life and Writings of J. B. Bossuet*, Bishop of Meaux. 1812. The *Lives of Dom Armand-Jean LeBonthillier de Rancé*, of the monastery of La Trappe; and of *Thomas a Kempis*; with some account of the principal religious and military orders of the Roman Catholic Church. 1814, 8vo. *Biographical Account of the Chancellor l'Hôpital and of the Chancellor d'Aguesseau*, with a short historical notice of the Mississippi scheme. 1814. Mr. Butler's subsequent works were:—An historical and literary account of the *Formularies, Confessions of Faith, or Symbolic Books of the Roman Catholic, Greek, and principal Protestant Churches*. 1816, 8vo. *Historical Memorials respecting the English, Irish, and Scottish Catholics, from the Reformation to the Present Time*. 1819, two vols. 8vo. *Dissertation on Mystical Devotion*. 1820. An Inquiry whether the Declaration against Transubstantiation, contained in Act 30, Charles II. could be conscientiously taken by a sincere Protestant. 1822. *Reminiscences of Charles Butler, esq. of Lincoln's Inn*. 1822, second vol. 1827. A continuation of the rev. Alban Butler's *Lives of the Saints to the present time*, with some biographical accounts of the Holy Family, Pope Pius VI., Cardinal Ximenes, Cardinal Bellarmine, Bartholomew de Martyribus, &c.: with a republication of his *Historical Memoirs of the Society of Jesus*. 1823. The *Book of the Roman Catholic Church*: in a series of letters addressed to Robert Southey, esq. on his "*Book of the Church.*" 1825, 8vo. A letter to the right rev. C. J. Blomfield, bishop of

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Chester in vindication of a passage in the "Book of the Roman Catholic Church," censured in a letter addressed to the author by his lordship. 1825. Vindication of the "Book of the Roman Catholic Church," against the rev. George Townsend's "Accusations of History against the Church of Rome," with notice of some charges brought against the Book of the Roman Catholic Church in the publications of Dr. Phillpotts, the rev. J. Todd, the rev. J. B. White, and in some anonymous publications; with copies of Dr. Phillpotts Fourth Letter to Mr. Butler, containing a charge against Dr. Lingard; and a Letter of Dr. Lingard to Mr. Butler, in reply to the charge. 1826, 8vo. The Life of Erasmus; with historical remarks on the state of literature between the Tenth and Sixteenth centuries. 1825. The Life of Hugo Grotius; with brief minutes of the civil, ecclesiastical, and literary history of the Netherlands. 1826. Reply to the Quarterly Review on the Revelations of la Sœur Nativité. 1826. A Letter on the Coronation Oath: with a notice of the recently published letters of the late King to lord Kenyon, and his lordship's answers; and letters of Mr. Pitt to the King, and his answers, 1827. 8vo. A short Reply to Dr. Phillpotts' Answer (in his "Letters to a Layman") to Mr. Butler's Letters on the Coronation Oath. 1828, 8vo. A memoir of the Catholic Relief Bill passed in 1829, being a sequel and conclusion of the "Historical Memoirs of the English, Irish, and Scottish Catholics." 1829, 8vo. Memoir of the Life of Henry-Francis D'Aguesseau: with an account of the Roman and Canon Law. 1830, 8vo. Two works which Mr. Butler commenced and left unfinished, were a Life of Christ, or a paraphrastic harmony of the Gospels; and a History of the Binomial Theorem. Mr. Butler was in extensive practice as a conveyancer. He was afterwards the first barrister of his communion, who has, in modern days, been called to the rank of king's counsel.

— At Tunbridge Wells, while on a visit to his brother, lieutenant-colonel George Tod, of Penenden Heath, formerly of the 29th foot.

— At sea, on his passage from Ceylon, major Frederick du Vernet, assistant quarter-master-general in that island.

3. At Bristol, by cutting his throat, major Thompson, 46th regiment,—verdict, temporary derangement. He held the

military command of the Bristol district for about six weeks, in January and February last, pending the proceedings against colonel Brereton.

4. At Montreal, aged 39, Jane, wife of John Banner Price, esq. assistant commissary-general.

5. At Limerick, John Boyle, of Cork, esq. The Southern Reporter was first established by Mr. Boyle—but, it having passed into other hands, he became the proprietor of the Freeholder.

7. At Ballybrack, near Cushenhall, Archibald M'Cambridge, at the patriarchal age of 123 years and 4 months.

— Aged 30, major Arthur Sullivan, of the 3rd dragoon guards, aide-de-camp to major-general sir Charles Dalbiac, and brother to sir Charles Sullivan, of Thames Ditton, bart.

10. At Paris, M. Garcia, father of madame Malibran.

12. At the Royal Military College, Sandhurst, of the spasmodic cholera, Ninian Bruce, esq. A.M. for upwards of twenty years surgeon of that establishment.

— In Cleveland-row, aged 18, the hon. Harriet Caroline Lambton, third daughter of lord Durham, by his first marriage.

14. At his seat, Kildare, aged 80, George Vaughan Hart, esq. a general in the army, governor of Londonderry and Culmore.

17. At his house, in Marlborough-buildings, Bath, major-general sir William Williams, K.C.B. and K.T.S.

— In Portman-square, aged 75, the right hon. Richard Lumley Saunderson, sixth earl of Scarborough (1690), viscount Lumley, of Lumley Castle in the bishoprick of Durham (1689), and baron Lumley, of Lumley Castle, (1681); seventh viscount Lumley, of Waterford in Ireland (1628).

18. At Addington Vale, aged 84, Priscilla, widow of late rev. Robert Style, rector of Mereworth and Wateringbury, and great-uncle to sir Thomas Charles Style, the present baronet of Wateringbury.

19. On board the Mountstuart, on his passage from Madras, lord George Thynne, seventh son of the marquis of Bath, aged 23.

21. At his residence in Mansfield-street, in his 88th year, general count Woronzow, formerly ambassador from Russia to the court of Great Britain, and father-in-law to the late earl of Pem-

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broke. Count Simon Woronzow was born at Moscow, in the year 1744, of a noble family which, in point of rank and antiquity, was inferior to none in the Russian empire, the princes of the blood of Rurick and St. Vladimir only excepted. His father was commander-in-chief and governor-general of the province of Vladimir. Count Simon began life as one of the pages in the household of the empress Elizabeth, daughter of Peter the Great, and, at the death of that princess, entered as lieutenant in the regiment of the Preobrazinski Guards. When the revolution took place which brought Catherine II. to the throne, count Woronzow was one of the very small number in that corps, who remaining faithful to the emperor Peter the Third, opposed the movement in favour of the empress. He was, in consequence, put under arrest, together with the captain of his company; but all opposition to Catherine's elevation having ceased, he recovered his liberty at the end of three days. Before returning to active service, his father sent him to visit the interior parts of Russia, which he traversed in every direction. He then accompanied his uncle count Michael Woronzow to Vienna, Rome, Paris, &c. War having been declared by the Ottoman Porte against Russia, at the instigation of a western power of Europe, count Simon eagerly solicited military employment, and was appointed lieutenant-colonel of a battalion of grenadiers, at the head of which he was the first to storm the Turkish entrenchments at the famous battle of Kabul. As a reward for his distinguished conduct on that occasion, count Woronzow was instantly promoted to the rank of colonel, received, besides, the cross of St. George of the third class, and was soon after appointed to the command of the 1st regiment of grenadiers. At the peace of Kainardgi, in 1775, the count was made brigadier-general, and his regiment received the title of "Grenadiers of the Empress." Soon after, count Woronzow departed again for Italy, in which country he remained down to the year 1781, when he returned to Russia, and married the lady Catherine, daughter of admiral Siniavin. In 1782, the count was appointed Russian minister at Venice. He lost his wife in Italy in 1784, and was removed thence in 1789, to be sent on a special mission in London, where he became soon after resident minister and ambassador. From that time, he never

ceased to play an important part in the politics, not only of Russia and England, respectively, but of all Europe. Though warmly attached to liberal ideas in the genuine acceptation of the word, he was the constant enemy of the French revolution, and the staunch and active supporter of the principles of legitimacy. Particularly well treated, at first, by the emperor Paul on his accession to the throne, he left his service, without hesitation, when that monarch entered into alliance with Buonaparte; and it was only on Alexander succeeding to his father's crown that he was re-appointed ambassador to the court of St. James's. From London he went to Russia in 1802, upon the occasion of his brother, count Alexander Woronzow, being made chancellor of state and minister for foreign affairs; but soon returned to England, where, in 1808, his daughter Catherine married the late earl of Pembroke. From that day he never left this country, except for some short excursions to France in 1815 and 1819, which he undertook to see his son, count Michael, who was commander-in-chief of the Russian corps, forming a part of the European army of observation, placed under the command of his grace the duke of Wellington.

21. At the residence of Mrs. colonel Booth, Montpelier, near Bristol, Miss Anna Maria Porter. This highly-talented lady, with her elder sister, Miss Jane Porter, author of "The Scottish Chiefs," "Thaddeus of Warsaw," &c., Sir Robert Ker Porter, a distinguished painter and traveller, and two other sons, were the orphan children of an officer in the dragoons, of an Irish family, who left his widow in very low circumstances, from which they were relieved by the royal family and other persons of high distinction. Mrs. Porter took infinite pains in the education of her children, and Anna Maria evinced an unusual precocity of genius. When not more than thirteen years of age, she commenced her career of authorship in 1793, by the publication of "Artless Tales," in one volume, 12mo., to which a second was added in 1795. Her next production was a novel in one volume, entitled "Walsh Colville." The favourable reception experienced by these works encouraged her to proceed, and she shortly afterwards (in 1798) published another novel, in three volumes, entitled "Octavia," which was followed by "The Lake of Killarney," three volumes, 1804; "A Sailor's

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Friendship and a Soldier's Love," two volumes, 1805; "The Hungarian Brothers," three volumes, 1807; "Don Sebastian, or the House of Braganza," four vols. 1809; "The Recluse of Norway," four volumes, 1814; "The Village of Mariendorf," four volumes; and "The Fast of St. Magdalen," three volumes. She also published in, 1811, a volume of "Ballad Romances, and other Poems."

23. At Wick-house, near Brislington, aged 55, William Withering, esq. LL.D. son of William Withering, M.D. formerly of Edgbaston-hall, Warwick, the celebrated author of the "Botanical Arrangement of British Plants."

— At Edinburgh, aged 72, sir James Hall, the fourth baronet, of Dungle, in the county of Haddington (1687), F.R.S. and S.A. Edinburgh. He was the author of an "Essay on the Origin, Principles, and History of Gothic Architecture," 1813, 4to. and of several papers in the "Transactions of the Royal Society of Edinburgh."

26. In Berkeley-square, in her 92nd year, her grace Elizabeth duchess dowager of Manchester.

28. Murdered by smugglers at Lulworth, by throwing him over the cliff, lieutenant Thomas Edward Knight, preventive service.

29. At Bath, aged 61, sir William Chambers Bagshawe, knt., of the Oaks, near Derby.

— In New-street, Spring-gardens, of cholera, aged 48, sir James Macdonald, the second baronet (1813) lord high commissioner of the Ionian Islands. He was the eldest and only surviving son of the right hon. sir Archibald Macdonald, baron of the Exchequer, by lady Louisa Leveson Gower, eldest daughter of Granville first marquis of Stafford, K.G.

*Lately.* At Ardincaple-castle, Dumbartonshire, the seat of his brother-in-law, lord John Campbell, aged 42, the rev. Edward John Bury, rector of Lichfield, Hants. He married lady Charlotte Campbell, sister to the present duke of Argyll, widow of colonel John Campbell, and the authoress of several novels.

At Berwick, Thomas Bellmont, esq. Some days previous to his death he made a present of 50,000*l.* to Mrs. Wigston, wife to colonel Wigston, and late widow to captain Bellmont.

At Courtown, aged 27, lady Elizabeth Stopford, second daughter of the earl of Courtown.

In the Poor-house of Belfast, Anne

Boyle, at the age (by her own account) of 110½ years. Until within three months of her death, she could see even to thread her needle. Her son, now an inmate of the poor-house, is nearly 80 years of age.

At Edinburgh, aged 74, the hon. John Clerk, lord Eldin. Lord Eldin was the son of John Clerk, esq. of Eldin, the author of a celebrated "Treatise on Naval Tactics." He was born in April 1757, and in 1775 was bound apprentice to a writer to the signet. His original destination had been the civil service in India, and an appointment in that department had been promised him; but, some political changes occurring before it was completed, the views of his friends were disappointed, and he turned his attention to the law as a profession. At first he intended to practice as a writer and accountant; but he soon abandoned that lower branch of the profession, and in 1785, he was admitted a member of the faculty of advocates.

## JULY.

1. At Meriden, Warwickshire, aged 87, the hon. Edward Monckton, of Somerford Hall, in Staffordshire, formerly M.P. for Stafford, and colonel of the Staffordshire Yeomanry; great uncle to lord viscount Galway.

— At Paris, M. Abel Remusat, keeper of the Royal Library, and Chinese Professor. As a general scholar, M. Remusat occupied a very distinguished place, but was particularly skilled in Oriental literature. The Asiatic Society of Paris, of which institution he was long secretary, and some time president, owes its existence chiefly to his exertions; and at the death, in 1825, of that distinguished orientalist, M. Laugès, he was appointed his successor in the Royal Library, with, subsequently, the title of Chinese Professor, an appointment expressly created in his favour. His most elaborate translation was "Iu-kiao-li; ou, les Deux Cousines." He also published "Mélanges Asiatiques; ou, Recueil de Morceaux de Critique et de Mémoires relatifs aux Religions, aux Sciences, aux Costumes, à l'Histoire, et à la Géographie des Nations Orientales;" besides several minor works, and numerous essays and criticisms in the "Journal des Savans." At the period of his decease he had just completed, for the Oriental Translation Fund, lately established in London, a



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"Translation from the Chinese of the travels of two Buddhist priests;" which is to be superintended through the press by his friend, M. Klaproth.

2. In Orchard-street, Frances dowager lady Hales.

3. At Auteuil, near Paris, aged 46, the right hon. John Thellusson, second baron Rendlesham; of Rendlesham, in the peerage of Ireland (1806).

6. At his seat, Knocklofty, county of Tipperary, aged 75, the right hon. John Hely Hutchinson, (second) earl of Donoughmore (1800).

— At Plymouth; aged 56, Harriett, wife of sir Colman Rashleigh, bart. of Prideaux, in Cornwall.

— In Park-street, aged 36, the hon. William Henry John Scott, barrister-at-law, registrar of affidavits, clerk of the patents, receiver of fines, and a cursitor in Chancery; the younger and only surviving son of the earl of Eldon. He was returned to parliament for Heytesbury in 1818, for Hastings in 1820, and for Newport, Hants, in 1826; but had not sat in the House of Commons since the dissolution in 1830.

7. At his residence in Pimlico, after a short illness, aged 80, the right hon. Charles Dundas, baron Amesbury, of Kentbury, Amesbury, and Barton-court, in Berkshire, and of Aston-hall, county of Flint.

9. At Carshalton-park, aged 82, John Taylor, esq.

— At Guildhall, aged 77, Timothy Tyrrell, esq. remembrancer of the city of London.

— Aged 61, John Pinckney, esq. an alderman of Salisbury and thrice mayor.

11. At Windsor Castle, aged 15, her serene highness the princess Louise Wilhelmina, duchess of Saxe-Weimar; niece to her majesty queen Adelaide. She was born at Ghent, March 31, 1817, and was the eldest daughter of duke Bernard of Saxe-Weimar, by Ida, sister to the present duke of Saxe-Meiningen.

12. At St. Helier's, lieutenant the hon. Ferdinand Hyppolitus Curzon, son of lord Scarsdale.

16. At Douglas, aged 63, William Roper, esq. barrister, youngest son of the late hon. and rev. Richard Henry Roper.

17. In New Norfolk-street, aged 60, sir John Carr, knt. He was a native of Devonshire, and bred to the law, which he practised in the Middle Temple; and at first had recourse to travel

on account of ill health. His first publication was "The Fury of Discord, a poem," printed in 1803, in 4to. His "Stranger in France, a Tour from Devonshire to Paris," written in the same year, was read with avidity. The light and rapid sketches, the spirit and gentlemanly feeling which characterized his observations, secured to his publications considerable popularity. In 1804, he published "The Sea-side Hero, a drama in three acts," the scene of which was laid in Sussex, on the supposed attack of the anticipated invasion; and in 1805 appeared "A Northern Summer, or Travels round the Baltic, through Denmark, Sweden, Russia, part of Poland, and Prussia, in 1804." In 1806 appeared "The Stranger in Ireland; or a Tour in the Southern and Western parts of that country in 1805;" soon after, the author was knighted by the duke of Bedford, then viceroy; in 1807 he published "A Tour through Holland, along the right and left banks of the Rhine to the South of Germany in 1806." The frequency of his productions now began to elicit remark; and Mr. Edward Dubois ventured to satirize sir John Carr's trade in tours, in a 12mo little book entitled "My Pocket Book; or Hints for a Ryghte Merrie and Conceitede Tour, in 4to., to be called "The Stranger in Ireland, in 1805." By a Knight Errant," and dedicated to the papermakers. For this publication the booksellers were prosecuted in 1809. It appeared on the trial that sir John Carr had received for the copyright of his *Stranger in France* 100*l*.; for the *Northern Summer* 500*l*.; for the *Stranger in Ireland* 700*l*.; and for the *Tour in Holland* 600*l*. Sir John failed in obtaining a verdict: the jury considering that "My Pocket Book" contained no personal reflection on the knight.

19. Of cholera, Arthur Lumley Davids, esq. member of the Asiatic Society of Paris, author of a *Grammar of the Turkish Language*, recently published. He wanted a month of being of age, and for so young a man his philological attainments were truly surprising.

— At Plymouth, after a lingering illness, sir Israel Pellew, K.C.B. admiral of the blue; brother to lord viscount Exmouth.

20. At Potternorton, aged 25, Mr. Charles Fred. Edgar, author of several poems, and editor of the "*Yorkshire Annual*."



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22. At Major House, Suffolk, aged 54, the right hon. John Minet Henniker Major, third baron Henniker, of Stratford upon Slaney, county of Wicklow (1800), fourth bart. (1765), and LL.D.

— In Belgrave-st. of cholera, the hon. Elizabeth Katherine, wife of the hon. Robt. John Smith, M.P. for Wycombe, and only son of lord Carrington. She was the daughter of the right hon. Cecil Weld lord Forester, and the lady Katherine, sister to his grace the duke of Rutland, K.G.

22. At the palace of Schoenbrunn, near Vienna, of consumption, aged 21, Napoleon-Francis-Charles-Joseph, duke of Reichstadt, son of the emperor Napoleon. He was born at Paris March 20, 1811, was the only offspring of Napoleon and Maria-Louisa. At his birth, he received the title of king of Rome. On Napoleon's abdication, the empress was, in 1814, declared duchess of Parma, and her son was styled prince of Parma, until the reversion of that principality was assigned to a prince of Sardinia. On the 22nd of July, 1818, he was created duke of Reichstadt. The following description of him was published in 1827, in a work intitled "Austria as it is :—The young Napoleon is an interesting youth, beautifully formed, with the countenance and fine cut lips of his father, and the blue eyes of his mother. He has not that marked, plain, and familiar ease of the Austrian princes, who seem to be every where at home ; but his demeanour is more dignified, and noble in the extreme. He has an Arabian steed, which he rides with a nobleness which gives the promise of as good horsemanship as that for which his father was so celebrated. His *escadron* almost adore him ; and he commands with decision and a military eye, which prognosticate a future general." The duke of Reichstadt had a separate establishment in a wing of the quadrangle of the Imperial Palace : and removed with the court for the summer months to the palace of Schoenbrunn or Lachsenburg. Naturally of a feeble constitution and delicate conformation, he outgrew his strength so early as his sixteenth year, and never attained any thing like robust health ; while the damp atmosphere of the palace of Schoenbrunn, which is situated in a hollow, overhung by a range of hills, tended to his state of further enervation. He died of pulmonary consumption ; and was attended by the

archduchess with great affection during his last illness.—The duke left no will, in consequence of which his mother succeeds to his property, the yearly amount of nearly a million imperial florins. His funeral, which was attended with the same forms and honours as that of an arch-duke, took place on the 24th, after the corpse had lain in state in the chapel of the palace at Vienna.

23. In Chesterfield-st. in the house of lord Dacre, of cholera, Harry Scott, esq. consul at Bordeaux, brother to the late countess of Oxford, and son of the late rev. James Scott, vicar of Itchen Stoke, Hants.

24. In Lower Brook-street, aged 54, the right hon. Henry-Augustus Dillon-Lee, thirteenth viscount Dillon, of Castello-Gallen in the county of Mayo (1621-2), a colonel in the army. In 1801 he published a pamphlet advocating the Catholic claims, entitled "A Short View of the Catholic Question, in a letter to a Councillor of Law at Dublin ;" in 1805, "A Letter to the Noblemen and Gentlemen who composed the deputation of the Catholics of Ireland ;" and in 1811-12 "A Commentary on the Military Establishments and Defence of the British Empire," in two vols. 8vo. : Also, an edition in 4to. of the "Tactics of Ælian," with notes ; "A Commentary on the Policy of Nations," two volumes 8vo. ; and a poem entitled "Eccelino di Romano."

27. At Boudgea, near Smyrna, in his 88th year, after a few days' illness, Francis Warry, esq. late His Britannic Majesty's Consul at Smyrna.

28. Aged 47, lady Hannah-Althea, wife of Edward Ellice, esq. M.P. secretary to the Treasury, and sister to Earl Grey. She was the second daughter and youngest child of Charles first and late Earl Grey, by Elizabeth, daughter of George Gray, esq. ; was married, 1stly, August 24, 1807, to captain G. E. B. Bettesworth, R.N. who was slain off Bergen, May 25, 1808 ; and secondly, October 30, 1809, to Mr. Ellice.

29. Aged 76, the celebrated chemist, count Chaptal, a peer of France, member of the Institute, and, under the Empire, minister of the Interior.

30. At Ramsgate, while attending the board of directors of the harbour, from a sudden affection of the heart, aged 56, John Shaw, F.R.S. and F.S.A. architect of the new hall at Christ's Hospital, and of many other important works,

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## AUGUST.

one of the last of which was the new church of St. Dunstan in the West, and its very beautiful octagon tower.

30. At Pimlico, aged 73, John Towns-  
end, the veteran and respected chief  
officer of the old Bow-street police.

31. At Ridgway, near Repton, aged  
49, sir Robert Gilbert.

*Lately.* At Drogheda, aged 75, alder-  
man C. Evans, fifty-five years proprietor  
of the Drogheda Journal.

— In Dublin, aged 72, Madame de  
Rubigny Barré, authoress of a valuable  
French grammar.

— Aged 73, the rev. Walter Whiter,  
rector of Hardingham, Norfolk. He was  
formerly Fellow of Clare-hall, Cam-  
bridge, where he graduated B.A. 1781,  
M.A. 1784, and by which society he  
was presented to his living in 1797,  
Mr. Whiter was the author of "A Spe-  
cimen of a Commentary on Shakspeare,  
containing, 1st. Notes on As you Like  
it; 2ndly, an attempt to explain and  
illustrate various passages, on a new  
principle of criticism, derived from Mr.  
Locke's doctrine of the association of  
ideas," 8vo. 1794; and the first part of  
an "Etymologicon Magnum, or Uni-  
versal Etymological Dictionary, on a new  
plan," pp. 570, a work of the greatest  
labour and research, and displaying his  
acquaintance with a great variety of  
languages.

— Dr. Andrew Duncan, professor of  
Materia Medica, in the university of  
Edinburgh, and secretary to the uni-  
versity.

— At the Hague, at the age of 100  
years and nine weeks, M. Buder, for-  
merly master tailor of the court of  
Louis XVI.

— At Paris, of cholera, aged 41,  
Jean Antoine St. Martin, member of the  
French institute. He was born at Paris,  
and at a very early age he applied him-  
self to the study of the oriental languages;  
and became one of the best pupils of the  
learned orientalist Silvestre de Sacy.  
Appointed first inspector of oriental  
typography at the Imprimerie Royale,  
he was elected in 1820 member of the  
Institute, and of the Académie des In-  
scriptions et Belles Lettres. His princi-  
pal work is the *Mémoires Historiques  
et Géographiques sur l'Arménie*; Paris,  
1818-19, two vols. 8vo. He had finished,  
before his death, a work on the Chro-  
nology of Ancient History.

2. In Arlington-street, aged 71, Mary,  
wife of sir Richard Carr Glyn, bart. of  
Gaunts, Dorset.

3. At Boreham-house, near Chelms-  
ford, aged 70, sir John Tyrell, bart.

7. Aged 55, major-general sir Charles  
Bruce, K.C.B.

9. At Denham, Barbara, wife of John  
Drummond, esq. of Charing-cross.

— After two hours' illness of cholera,  
Mr. J. H. Hanshall, one of the editors  
of the Alfred newspaper. He was for-  
merly for many years editor of the  
Chester Chronicle; and while resident  
in that city he published, between 1817  
and 1823, a History of Cheshire, in one  
volume 4to.

10. At Torpoint, at an advanced age,  
Mary Lely, a descendant of the cele-  
brated sir Peter Lely.

12. At Cassillis-house, county of Ayr,  
aged 37, the right hon. Archibald earl  
of Cassillis, eldest son of the marquis of  
Ailsa. He married May 1, 1814, Elea-  
nor, only child of Alexander Allardice,  
esq., and has left issue a daughter and  
eight sons.

— In York-terrace, Regent's-park,  
aged 74, Thomas Morton, esq., for twen-  
ty-three years an elder brother of the  
Trinity-house.

13. At Bleasby-hall, the seat of his  
son Robert Kelham Kelham, esq. aged  
76, Marmaduke Langdale, esq. of Dough-  
ty-street.

— At Portsmouth, aged 78, lieut.-  
colonel Thomas Fetherstone, of the Ben-  
gal establishment.

— At Hall-place, St. John's-wood,  
major-general sir Charles Ashworth,  
K.C.B. and K.T.S.

14. Aged 105, at Baker-street, Mary,  
widow of Michael White, esq. governor  
of Montserrat.

15. At Dublin, of cholera, lieutenant-  
colonel Witherington, late of the 9th  
dragoons, brother-in-law to the celebrated  
Wolfe Tone.

17. At Leamington, aged 70, Mr.  
James Bisset. Mr. Bisset was a native  
of Perth, but came to Birmingham when  
about fifteen years of age. In that town,  
where he resided for six and thirty  
years, he established a museum and  
shop for curiosities, which in 1813 he  
removed to Leamington, where he had  
opened a news-room and picture-g  
in the year preceding. His coll

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consisted principally of articles in natural history, particularly birds, the works of savage nations, models in wax and rice-paste, &c. &c. He was the author of various publications.

19. At Leamington, aged 18, Geo. Aspull, the celebrated pianist.

22. In Hereford-street, the wife of lieutenant-general sir Hudson Lowe.

23. William M'Gavin, esq. agent to the British Linen Company's Bank in Glasgow, and author of "The Protestant," and other works.

24. At Holme Pierrepont, Notts. aged 76, the right hon. Anne-Orton countess dowager of Manvers.

25. At Whitechapel, aged 108, Thomas Plum. He was a native of North America, and when young entered into the service of a surgeon in the army. He afterwards joined the engineers, and was attached to the 52nd regiment at Bunker's Hill, and several other battles, until taken prisoner. When discharged, he worked at his trade of carpenter until his 80th year.

26. At Cheltenham, aged 76, lieutenant-colonel Aubrey, one of the most bold and adventurous "sporting men" of the last century.

— In the Albany, aged 74, sir Walter Stirling, of Faskine, county of Larnark, bart. a deputy lieutenant for the county of Kent, F.R.S. and F.S.A.

26. At Drogheda, of cholera, aged 92, the most rev. Dr. Curtis, Roman Catholic Primate of all Ireland.

— At Bayswater, aged 72, the rev. Adam Clarke, LL.D., F.S.A., and M.R.I.A. Adam Clarke was born at Maggerafelt, about thirty miles from Londonderry; his parents were natives of Great Britain. His father, a school-master, was the descendant of an English family of respectability; and his mother a Scotchwoman, whose maiden name was Maclean. His father appears to have been engaged in the culture of a small farm; and though his son Adam received from him the rudiments of a classical education, some part of his time was occupied in assisting in field labour. About the age of fourteen he was sent to a Mr. Bennet, a manufacturer of linen, for the purpose of learning that business; but, shortly obtained permission to return home. Through a preacher in connexion with John Wesley, the existence of Adam Clarke, as a youth of promise, was made known to the founder of Methodism; who, without seeing him,

invited him to become a pupil in Kingswood School, then recently established. With the consent of his parents, he accepted the proposal. Whilst there, he purchased out of his scanty pocket money, and of his own accord, a Hebrew grammar, the study of which laid the foundation of his acquirements in Oriental learning. It was not long before Mr. Wesley visited Kingswood, and made the acquaintance of his unknown protégé. Mr. Wesley asked him if he was willing to become an itinerant preacher! The answer was, "I should be willing, if you thought me worthy." Within a few weeks he appointed him, though only 19 years of age, to the circuit of Bradford, Wilts. This event occurred in the year 1782. Mr. Clarke continued to travel in various circuits until 1805, after which he remained in London for several years, and devoted a great portion of his time to literature and bibliography. His first publication was a Dissertation on the use and abuse of Tobacco, printed in 1797; his next, an undertaking of much more laborious character, was, "A Bibliographical Dictionary, containing a Chronological Account of the most curious books in all departments of literature, from the infancy of printing to the beginning of the nineteenth century; to which are added an Essay on Bibliography, and an Account of the best English translations of each Greek and Latin classic, 1802. 6 vols. 12mo. and 8vo.—The Bibliographical Miscellany, or a Supplement to the Bibliographical Dictionary, down to 1806. 2 vols. 12mo and 8vo. About this period he became honorary librarian to the Surrey Institution, where his literary studies were greatly facilitated. The earliest mark of public distinction which was conferred upon him, was his election to be a fellow of the Society of Antiquaries; in 1805 he received the honorary degree of M.A., and in the following year that of LL.D., from the University of St. Andrews; and he was subsequently chosen to be a member of the Royal Irish Academy. He was, besides, a member of some American literary associations, and was enrolled among the members of several other learned bodies, whose journals contain some of his communications. During the several years of his residence in London, Dr. Clarke was closely engaged upon his Commentary to the Bible, but, at the same time, he fulfilled the

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duties of his station as a preacher, and took a part in the management of various associations for literary, scientific, and benevolent purposes. He also edited Baxter's *Christian Directory* abridged. 1804. 2 vols. 8vo.—Claude Fleury's *History of the Ancient Israelites, their Manners, Customs, &c.* with a Life of the author, 1805. 12mo.—*The Succession of Sacred Literature*, in a chronological arrangement of authors and their works, from the invention of alphabetical characters to the year of our Lord 945. 1807. 12mo. and 8vo. vol. 1st.—Shuckford's *Sacred and Profane History of the World connected*, including Bishop Clayton's *Strictures on the work*, with maps. 1808. 4 vols. 8vo.—*Narrative of the last illness and death of Richard Porson*.—*Sturm's Reflections*, 4 vols. 12mo.—*Harmer's Observations, with his life*. 4 vols. 8vo. 1816.—*Clavis Biblica; or, a Compendium of Scripture Knowledge*. 8vo. 1820.—*Memoirs of the Wesley Family*, 8vo.—Three volumes of *Sermons*, besides several single discourses and detached pieces; and many anonymous articles published in the *Classical Journal*, in some early numbers of the *Eclectic Review*, and in various other journals. In the year 1807, Dr. Clarke was appointed one of the sub-commissioners of the public records. Having been recommended on account of his extensive learning and indefatigable industry as a fit person to revise and form a Supplement and Continuation to Rymer's *Fœdera*, he was desired by the commissioners of the records to prepare an essay or report on the best method of executing such an undertaking. Accordingly, in the beginning of the year 1808, he prepared a long and luminous report on the subject, in which he gave a history of the origin and progress of that great national work, Rymer's *Fœdera*, and suggested a plan as to the best mode of selecting, arranging, and editing the materials necessary for its projected Supplement and Continuation. This report was approved by the commissioners, and orders were given to obtain admission for Dr. Clarke into all the public offices, libraries, and repositories, which it might be necessary for him to consult. In the following year the commissioners were informed that Dr. Clarke had been diligently employed since the month of March 1808, in collecting materials at the British Museum, the Tower, the Rolls' Chapel,

the Privy Council Office, &c. and in comparing them with the contents of Rymer's printed work; whereupon he was requested to prepare a further report upon the particulars of Rymer's plan, and upon the best mode of forming a Supplement and Continuation. In less than a month the Doctor produced a second and longer report. This was followed, after some time, by a third and fourth report, all of which abound with curious and interesting particulars, illustrative of the early periods of English history. After a consideration of these several reports, the commissioners came to the resolution that the work would be best executed by a consolidation of all the old and new materials in a chronological series; and Dr. Clarke received directions to prepare materials for a first volume of a new edition. In this great undertaking he was assisted by his eldest son, Mr. J. W. Clarke, and Mr. Holbrooke; but only three volumes of the new edition have been published. Dr. Clarke saw the first and part of the second through the press. But his learned *Commentary on the Bible* is the monument by which he will be best known to future times. It appeared under this title: "*The Holy Scriptures, &c. &c. with the marginal readings, a collection of parallel texts, and copious summaries to each chapter; with a Commentary and Critical Notes, designed as a help to the better understanding of the Sacred Writings*, 8 vols. 4to, 1810-26." In 1815, Dr. Clarke was persuaded by some of his friends, who had observed with solicitude the decline of his health, to relinquish, for a time, all public pursuits, and retire into the country. By their munificence, an estate was purchased for him at Millbrook, in Lancashire, towards which Mr. Jonas Nuttall presented 1000*l.* and Mr. Henry Fisher, the proprietor of the Caxton Printing Office in Liverpool, 300*l.* Here he continued his *Commentary*, and brought it nearly to a close. In 1818, the third year of his residence at Millbrook, he received into his house, at the request of the Wesleyan Missionary Committee, and of Sir Alexander Johnston, two Buddhist priests, whom that gentleman, at their own request, brought over from Ceylon, that they might be instructed in the principles of Christianity. His earnest desire for the due instruction of his two pupils caused him to compile his *Clavis Biblica*, which

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was published in 1820. During twenty months the priests were carefully instructed by him in the English language and in the evidences of our religion; at the end of which time, being "fully convinced that they were sincere converts, at their own earnest request he admitted them publicly into the church of Christ by baptism," conferring upon one of them his own name. No one doubted the sincerity of these supposed converts; but on returning to Ceylon, they resumed the functions of Teerun-anxies, or high priests. It is said, however, that one of them is now acting as interpreter to the Supreme Court of Judicature in Ceylon. In 1823, Dr. Clarke disposed of his residence at Millbrook, and came to reside in London; but he found that his health required country air; and accordingly he purchased a mansion, called Haydon-hall, in the parish of Ruslip, about seventeen miles from London. In this abode he concluded his Commentary, on the 17th of April 1826; and he resided there till the time of his death. On the 20th of August, he left Bristol on his way to the metropolis, and was met at Kensington by his friend Mr. Hobbs, who brought him to his house in Bayswater, where he slept. On the day following he rode to Stoke Newington, and afterwards returned home to Haydon-hall. At this period, Mr. Clarke (his nephew, and a surgeon in the navy) advised him to take castor oil, owing to the state of his bowels; and it was finally arranged, that Mr. Hobbs should fetch him on the ensuing Saturday to his house at Bayswater, where he had engaged to preach an anniversary sermon on Sunday the 26th. Mr. Hobbs repaired to Haydon-hall, according to agreement, when Dr. Clarke complained that his bowels were disordered, but said he hoped the complaint would speedily subside. They left Haydon-hall, and hastened to Bayswater. Towards evening the Doctor grew rather worse; but no apprehensions of danger were then entertained. Before five, however, on the morning of Sunday, Dr. Clarke had risen, and, still suffering from his malady, had dressed himself, and with his hat, bag, and cane in readiness, was waiting to leave the house. Mr. Hobbs found him thus equipped in the parlour; he stated that he was very ill, and requested to be taken immediately to his own home. A carriage was accordingly sought, but,

prior to this, a medical gentleman was called in, who pronounced his case to be one of cholera. Other medical gentlemen attended, and various remedies tried, but to no purpose. Soon after eleven at night he breathed his last.

28. At his seat, Oak-hill, Hertfordshire, sir Simon Haughton Clarke, the ninth Baronet, of Salford, county of Warwick (1617).

30. At Paris, in his 60th year, of cholera, M. Antoine Leonard Chezy, a distinguished oriental scholar. He was a member of the Académie des Inscriptions et Belles Lettres, and one of the editors of the "Journal des Savans." Madame Chezy, his widow, is daughter of the celebrated madame de Krudener.

31. At Bognor, aged 65, the right hon. Mary countess of Arran.

— At his apartments in Chelsea-college, aged 76, sir Everard Home, of Well Manor-farm, county of Southampton, bart. sergeant surgeon to his Majesty, surgeon to Chelsea-hospital, honorary professor of anatomy and surgery to the Royal College of Surgeons, V.P.R.S. and F.S.A. This eminent surgeon was of Scottish descent, and the son of Robert Home, esq. of Greenlaw-castle, county of Berwick, himself a practitioner of eminence, by Mary, daughter of colonel Hutchinson. He studied under the celebrated John Hunter, who was his brother-in-law; and practised with great success in the metropolis, for more than forty years. Among his surgical publications were "Lectures on Comparative Anatomy," in two vols. 4to, in which are explained the preparations in the Hunterian Collection, illustrated by 171 engravings; an "Hunterian Oration" in honour of surgery, and in memory of those practitioners by whose labours it has been advanced, delivered in the theatre of the college, February 14th, 1814; "Practical Observations on the treatment of Ulcers on the Legs, considered as a branch of military surgery, 1797; Observations on Cancer, 1805; and Practical Observations on the Treatment of Stricture in the Urethra and in the Œsophagus," 3 vols. 8vo. Besides these, sir Everard contributed largely to the Philosophical Transactions, and a variety of ably-written articles to the medical periodical works.

*Latelly.* At Edinburgh, captain J. B. H. Curran, R.A. second son of the late right hon. John Philpot Curran.



DEATHS.—SEPT.

*Lately.* At Denbie, Annandale, at an advanced age, lieut-col. J. Carruthers, of Denbie.

— At Choisy-le-Roi, Allen Mackenzie, esq. R.N. 25 years in the Excise-office, London.

— In Paris, of cholera, gen. Daumesnil, governor of Vincennes. When the infuriated mob went to demand the prisoners Polignac and his associates, he advanced on the drawbridge, and declared that on the first attack he would blow up prisoners and assailants together. This had the desired effect, and the mob retired shouting, "Vive la jambe de bois!" (He had a wooden leg.)

— Of cholera, aged 78, M. Marron, president of the Consistory of the Reformed Church in Paris, of which he was the founder.

— At his estate near Novogorod, Gabriel Romanowitch Derzhavin, one of the most celebrated Russian poets. He was created minister of justice by Catherine II.

SEPTEMBER.

1. At Paris, of the cholera, baron de Zach, the oldest and one of the most celebrated of modern astronomers.

— John Wade, esq. son of the late general Wade, and grandson of field-marshal Wade.

— By the overthrow of his carriage, in returning from the funeral of Mrs. Hawkins, aged 57, Thomas Wilshere, esq. of Hitchin.

2. At Carlisle, aged 41, Robert Spottiswoode, esq. youngest son of the late John Spottiswoode, of Spottiswoode, esq. by the youngest daughter of the late William Strahan, esq. M.P. his Majesty's printer, and a partner in business with his elder brother Andrew Spottiswoode, esq. king's printer.

3. In Upper Brook-str. Mrs. Frances O'Grady, sister to the late viscountess Harborton.

— At Bayswater, of cholera, David Blakie, esq. W.S. the originator and editor of the "Edinburgh Evening Post," and afterwards of the "Edinburgh Literary Gazette."

— At the Mauritius, John Justin Cooper, esq. judge of the Supreme Court of Appeal.

5. At Bruges, Thomas Drury, esq. admiral of the red.

— At his seat, Tythrop House, Oxfordshire, Philip Thomas Wykeham, esq. aged 67.

5. At his house in Newcastle, Thomas Trotter, M.D. formerly physician to the channel fleet. The titles of his principal publications are, in chronological order, as follow: "Medical and chemical essays," 1796. "Medica nautica, or an essay on the disease of seamen," 1799. 3 vols. 8vo. "Suspiria Oceani," a monody on the late earl Howe. An English edition of his "Essay on Drunkenness," 1804, 4th edit. 1812. "An address to the proprietors and managers of coal mines, on the means of destroying damp," 1806. "A view of the nervous temperament, being a practical treatise on nervous, bilious, stomach, and liver complaints." 1812. 8vo. "The Noble Foundling," a tragedy, 1813. He was the author also of a volume of poems, and of many communications to the "Medical Journal," the "European Magazine," and other periodical works.

6. Aged 66, the rev. John Simpson, LL.D. rector of Baldock, Herts. He had previously been a dissenting minister and master of a school in that town. He was the author of the following works: "Christian arguments for social and public worship," a sermon, 1792; "An essay on religious fasting and humiliation," 1795; "Thoughts on the novelty, excellence, and evidence of the Christian religion," 1798; "Internal and presumptive evidence of Christianity, considered separately, and as uniting to form one argument," 1801; "Thoughts on the new testament doctrine of Atonement," 1802; "An essay on the duration of a future state of punishment and rewards," 1803; "Questiones Græcæ, or questions adapted for the Eton Greek grammar," 1807, 2nd edit. 1814; "Essays on the language of Scripture," 2 vols. 1808.

8. At the house of his brother-in-law, Leiston, Suffolk, Charles Calvert, esq. of Ockley-court, in Surrey, M.P. for the borough of Southwark in six parliaments.

— At South Shields, of cholera, the rev. William Henry Angas, son of the late Caleb Angas, esq. of Newcastle. For many years past he had devoted his time, his talents, and his fortune, to the interests of benevolence and religion. It was by him that the baptist churches in this country were brought into close acquaintance with the followers of the celebrated Menno Simons, a pious and retiring denomination of Protestants stretching from the mountains of Switzerland to the Frozen Ocean.

— At Wimbledon-common, aged 80,



## DEATHS.—SEPT.

Arthur Tyton, esq. late solicitor of his Majesty's customs. He had formed a collection of many thousand prints and drawings of every building and antiquity of importance in the county of Surrey.

8. Maria, wife of the rev. John Foster, of Stapleton, author of essays on "Decision of Character," &c.

— Of cholera, Mr. Godwin, a gentleman connected with the "Morning Chronicle" as a reporter. He was the son of the author of "Caleb Williams."

11. In Regent-street, aged 26, Patrick Conroy, esq. of Gray's Inn-place, solicitor. He was a man of strong passions, and, when he gave way to fits of excitement, had been known to drink off a pint of brandy at a draught. On the night of his death he bought a bottle of brandy, and drank it in fifteen minutes. He fell back in his chair insensible, and on a surgeon being called in, was found to be dead.

— At his house in Lambeth, of cholera, Molesworth Phillips, esq. lieutenant-col. of marines, nearly the last surviving companion of the illustrious circumnavigator Cook, of whose death he was an eye-witness.

12. At Brighton, aged 43, Edward Michael Ward, esq. minister plenipotentiary at Dresden. Mr. Ward was the eldest son of the late right hon. Robert Ward, brother to the late visct. Bangor, and was united in 1815, to Lady Matilda Charlotte Stewart (sister to the present marquis of Londonderry).

— At Evington, Kent, aged 45, sir John Courtenay Honywood, the fifth baronet of that place (1660); nephew to the earl of Devon, the countess of Mountnorris, the late countess of Lisburne, Lady Carteret, &c.

— In Belgrave-street, of cholera, the widow of Benjamin West, esq. President of the Royal Academy.

— At Tavistock-place, by bursting a blood-vessel, whilst pulling on a boot, aged 56, James Woodhouse, esq.

— At the residence of Mrs. Head, Albion-hill, Ipswich, in her 82d year, Mrs. Priscilla Wakefield. This clever and benevolent woman was born at Tottenham, Jan. 31, 1751; and was the eldest daughter of Daniel Bell, late of Stamford-hill, and Catharine Barclay, grand-daughter of the celebrated Robert Barclay, who wrote the famous "Apology for the Quakers." On the 3rd of Jan. 1771, she was married to Mr. Edward Wakefield, merchant of London.

Born a member of the society of friends, she remained in it from principle. She was the founder of the frugality banks, the first of the savings' banks, and also a warm promoter of lying-in charities. In her efforts to improve the rising generation, by the publication of useful books for their perusal, she was eminently successful; the titles of her productions were as follow:—*Juvenile Anecdotes*, founded on facts, 1793; *Leisure Hours, or entertaining Dialogues*, 2 vols. 1796; *An Introduction to Botany, in a series of letters*, 1796; *Mental Improvement*, 3 vols. 1797; *Reflections on the present condition of the Female Sex, with suggestions for its improvement*, 1798; *The Juvenile Travellers*, 1801; *A familiar Tour through the British Empire*, 1804; *Domestic Recreation, or Dialogues illustrative of natural and scientific subjects*, 1805; *Excursions in North America*, 1806; *Sketches of Human Manners, delineated in stories illustrative of the characters of the inhabitants of different parts of the world*, 1807; *Variety, or Selections of Anecdotes and curious Facts*, 1809; *Perambulations in London and its Environs*, 1810; *Instinct displayed, or facts exemplifying the sagacity of various species of animals*, 1811; *The Traveller in Africa*, 1814. She had three children, two sons and a daughter Edward Wakefield, esq. the elder son, was the author of a "Statistical Account of Ireland," published in 4to. 1812; and Daniel Wakefield, esq., the younger, is an able and successful practitioner in Chancery.

13. At Charmouth, Dorsetshire, of cholera, George Sidney Smith, esq. a post captain, R.N. nephew to admiral sir W. Sidney Smith, K.C.B. with whose gallant but unfortunate protégé, the late captain John Wesley Wright, he was taken prisoner in the *Vincesco* brig, May 8, 1804.

14. At Wrinted-court, aged 74, Wm. Cooke, esq. a bencher of Lincoln's Inn, and one of his Majesty's counsel.

— After a few hours' illness, J. Cheese, esq. late editor of the "London Free Press."

15. Drowned in the lake of Como, aged 28, captain Lock, son of W. Lock, esq. of Norbury Park, by a daughter of the late duchess of Leinster and W. Ogilvie, esq. He was a distinguished amateur artist.

16. At the vicarage of Langollen where he was on a visit to his niece Mrs.

## DEATHS.—SEPT.

Eyton, aged 87, field-marshal sir Alured Clarke, G.C.B. colonel of the seventh regiment of foot.

16. Whilst leading a detachment of the British battalion with some Portuguese troops against the Miguelites, on the heights in front of the lines of Oporto, major Staunton, son of Myles Staunton, esq. of Mountjoy-square, Dublin.

17. At Leamington, aged 65, lady Georgia Buckley, aunt to earl Delawarr.

18. Robert Hicks, esq. of Afton House, Isle of Wight.

— At his seat, Westbrook Hay, Herts, aged 66, the hon. Richard Ryder, M.A. registrar of the Consistory Court, and a bencher of Lincoln's Inn; brother to the earl of Harrowby and the bishop of Lichfield and Coventry.

— At Ballintemple, near Newry, at an advanced age, the rev. Henry Boyd, M.A. vicar of Rathfriland, and chaplain to the earl of Charleville. This gentleman was a native of Ireland, and acquired considerable celebrity as the first translator of Dante into English verse. His first publication was the "Inferno, with a specimen of the Orlando Furioso of Ariosto," in two vols. 8vo, 1785. In 1796 he published "Poems chiefly dramatic and lyric," 8vo; in 1802, "The Divina Comedia of Dante, translated into English verse," in three volumes 8vo; in 1805, "The Penance of Hugo, a Vision, from the Italian of Vicenzio Monti, with two additional cantos;" and "The Woodman's Tale, after the manner of Spenser;" and in 1807, "The Triumphs of Petrarch, translated into English verse."

19. At Cromarty House, aged 55, sir Michael Benignus Clare.

20. Drowned in the Lac de Gauve, near Cantereto, in the Pyrennees (within a month after their marriage), Wm. Henry Pattison, esq. of Lincoln's Inn, barrister-at-law, and Sarah Frances his wife.

— At Ballyvaston, aged 103, Mr. Hervey Murphy.

21. At Abbotsford, aged little more than 61 years, Sir Walter Scott, bart. Of this illustrious character, whose genius obtained the undivided homage not only of his own countrymen, but of all Europe—of nearly the whole civilized world, a separate memoir will be found in another part of our volume, to which we refer our readers.

22. At Dublin, aged 106, Aaron Botts, a Chelsea extern pensioner. He served

in most of the general engagements in America.

22. Aged 73, Mr. Wm. Fowler of Winterton. He was a laborious and ingenious self-taught draftsman, engraver, and publisher of various Roman tessellated pavements, subjects in ancient stained glass, and architectural antiquities, which introduced him to the countenance and support of several distinguished literary, and scientific characters.

23. At Woolwich, aged 76, the right hon. lady Emily Macleod.

25. At Hastings, aged 59, lieutenant-colonel Edward Eardley Wilmot, Royal Horse Artillery.

26. At Shepperton, Middlesex, aged 57, Charles Greville, esq. comptroller of cash in the Excise, receiver-general of taxes in Nottinghamshire, and secretary of the island of Tobago: he was brother-in-law to the duke of Portland and lord Crewe.

26. At his seat, Swainstone, Isle of Wight, aged 77, sir Fitzwilliam Barrington, the tenth baronet.

27. At Summer Hill, Dublin, aged 79, the right hon. Arthur James Pomeroy, third viscount Harborton (1791), and baron Harborton, of Carberry county of Kildare (1783).

— At St. Anne's Hill, Wandsworth, aged 85, Robert Smith, esq. fellow of the Royal and Antiquarian Societies, and formerly for many years solicitor to the Board of Ordnance.

28. At the house of his sister, Mrs. Livius, near Bedford, after an illness of only two days, aged 72, Joseph Foster Barham, esq. of Trecwm, in the county of Pembroke, and Stockbridge Hall, Hampshire. Mr. Barham married July 26, 1792, lady Caroline Tufon, younger daughter of Sackville, eighth earl of Thanet. The death of lady Caroline Barham, occurred within five weeks of that of her husband, on Saturday the 3rd of November, in consequence of being run over in the street on the evening of the Wednesday preceding. Her ladyship was crossing Margaret-street, between Prince's-street and Cavendish-square, a little past five o'clock, when a cab, with only a boy in it, drove furiously round the corner, and one of the shafts coming against her before she could get out of the way, knocked her to the ground with great violence. Her ladyship was conveyed in a state of insensibility to the banking-house of sir Claude Scott, and afterwards in a coach to her own house.

## DEATHS.—OCT.

in Queen Anne-street, where death ensued. Upon a *post mortem* examination, five ribs appeared to have been broken and the lungs to have been dreadfully lacerated; there was also a great extravasation of blood; these injuries were the cause of death. An arm was also broken. The coroner's inquest returned this verdict, "Manslaughter against Henry Bartholomew, and a deodand of 50*l.* on the cab and horse, and the jury have levied this fine to mark their sense of the great impropriety of inexperienced boys being entrusted with the management of a horse, and endangering the lives of the public." The age of the boy was only sixteen: he was tried and acquitted.

28. At Stowford rectory, aged 75, Wm. Webber, esq. formerly one of the secretaries of the government of Bengal, under Warren Hastings, esq. and lord Cornwallis.

— At Tynemouth, aged 64, William Wood, esq. inventor of the patent felt for the sheathing of ships.

30. At Brighton, aged 65, the right hon. Edward Southwell Clifford, lord de Clifford.

*Lately.* The duchess de Coigny, mother-in-law of general Sebastiani. It is said that gold to the amount of 500,000*f.* was found in her apartment.

Aged 46, the hon. Francis Charles Annesley, a retired commander, R.N., brother to the earl of Annesley.

At the residence of his son-in-law, Mr. Rayner, of Howard-street, Strand, aged 69, Mr. W. H. Remington, forty years ago, the "Charles Surface" and "Puff" of the Liverpool company, and upwards of eighteen years prompter of the York and Hull theatres.

At Trent Park, Middlesex, aged 75, John Cumming, esq. an eminent Russia merchant.

## OCTOBER.

1. At his father's, Bakewell, aged 33, Edward Barker, esq. of the lead works, Sheffield. He superintended the mineralogical department in the museum of the Literary and Philosophical Society of that town, and lately delivered lectures on chemistry in the Church-street Medical School.

2. At l'Orient, of cholera, aged 72, general Samuel Dalrymple, uncle to lieutenant-general sir John Hamilton Dalrymple, of Cousland county of Edinburgh, baronet.

4. At his residence in Hanover-terrace, Regent's Park, after a few hours' illness, major-general sir Alexander Bryce, Knt. K.C.H. F.M. and K.C. and C.B. colonel-commandant of the Royal Engineers, and inspector-general of fortifications.

5. Aged 52, George Langford, esq. post captain R.N. On the 2nd March 1808, when commanding the *Sappho* of 18 guns and 120 men on the North Sea station, this officer captured, after an action of half an hour, the *Admiral Yawl*, a Danish brig of 28 guns and 83 men, victualled and stored for five months.

7. In Furnival's-inn, by accident while engaged in making some chemical experiments, Alexander Barry, esq. F.R.S. lecturer on natural philosophy and chemistry at Guy's Hospital.

— In the Borough-road, in his 76th year, Henry Jacob, esq. one of the most celebrated Hebrew scholars in Europe.

10. At Bath, aged 73, James Stephen, esq. late a master in Chancery. Mr. Stephen was descended from a respectable family in the county of Aberdeen, but was born at Poole, in Dorsetshire, and educated at Winchester. He lost his father in early life; and, being thus left to his own resources, went to the West-Indies, and practised in St. Kitts for many years with great success. When he returned from St. Kitts, he obtained a very large and lucrative practice in the Cockpit, sharing with the late chief justice Dallas nearly all the prize appeals that came before the Privy Council. At that period the violation of neutrality by American vessels, frequently led to their capture and condemnation; and Mr. Stephen was the first to direct public attention to this important subject, in a small pamphlet, entitled, "War in disguise; or the Frauds of the Neutral Flags." It was published anonymously; but evinced a knowledge and ability of pen which could not fail to render its author a valuable auxiliary to the government; and Mr. Stephen was soon seated in Parliament for the borough of Tralee. He suggested and arranged the whole system of continental blockade. Mr. Percival obtained for him the appointment of one of the Masters of the Court of Chancery. Mr. Stephen had been elected in 1812, for East Grinstead, but retired from Parliament in 1815. He retained his office of Master in Chancery for twenty years.

11. At Pimlico, in his 82nd year, Mr.:

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Thomas Hardy. This individual, who was originally a shoemaker by trade, attained, about forty years ago, an unfortunate celebrity by being an active propagator of the principles of the French revolution, one of the founders (and Secretary) of the London Corresponding Society, and along with Horne Tooke, Thelwall, Holcroft, and others, the subject of an unsuccessful government prosecution, in the year 1794. He was a constant attendant at the radical dinners at the Crown and Anchor, and kept up his connection with the leading men of that party. His politics, however, did not keep his pot boiling; and latterly, sir Francis Burdett contributed to his support and that of his sister and companion. His obsequies were made the occasion of a sort of popular triumph, and a funeral oration *à la Française*. The body was conveyed in a hearse from Pimlico, followed by two mourning coaches. Several other coaches joined the procession at Charing Cross, and a number of persons belonging to the working classes followed four abreast. In this order the procession moved along the Strand, Fleet-street, and the City, to Bunhill-fields burying-ground. After the funeral service had been read, Mr. Thelwall addressed a crowd of many thousand persons.

13. Suddenly, at Bridlington, (while attending a fair or market), aged 57, the right hon. Godfrey Bosville Macdonald, third lord Macdonald, baron of Slate, co. Antrim (1776), and a baronet of Nova Scotia (1625); a lieutenant-general in the army; cousin-german to the earl of Dudley.

16. At Gore-house, Kensington Gore, aged 80, the hon. Thomas Windsor.

18. At the vicarage-house, Peasmarsh, Sussex, in his 95th year, the rev. John Lettice, D.D. vicar of that place, prebendary of Chichester cathedral, chaplain to the duke of Hamilton, and formerly fellow and tutor of Sidney Sussex college, Cambridge.

19. At Wood End, near Chichester, aged 70, the right hon. lady Emily Charlotte, widow of admiral the hon. sir George Berkeley, G.C.B. aunt to the duke of Richmond, and sister to the countess Bathurst.

20. At Tendring Hall, Suffolk, aged 72, sir William Rowley, the second baronet (1786), late M.P. for Suffolk.

22. At Misley Hall, near Hertford, the seat of his uncle, George Firmin, esq.

by the accidental explosion of his gun, aged 18, Robert, only son of Robert Wilson, of Bedford.

23. At his seat Chesington, Surrey, aged nearly 96, general William Tombes Dalrymple.

25. At Dalhousie-castle, aged 26, the right hon. George lord Ramsay, captain 26th foot.

— Murdered in his potatoe field, aged nearly 80, the rev. George Houston, rector of Feighcullen, in the county of Kildare, leaving a widow, to whom he had been married forty-three years, perfectly destitute. A coroner's jury, after a patient and minute investigation of two days, gave the following verdict: "That the deceased came by his death in consequence of a gun-shot wound, on the morning of the 25th, which there was reason to suspect had been inflicted by George Lennard," who was transmitted to Naas gaol. Mr. Houston was a mild, amiable man, and had ever lived on good terms with his neighbours, by all of whom he and Mrs. Houston were much liked, until agitation had been actively preached and inculcated by the demons who infest Ireland.

27. At the hall, Wigan, aged 67, the hon. and rev. George Bridgeman, rector of Wigan and of Weston-under-Lizeard, Staffordshire, uncle to the earl of Bradford, and brother-in-law to the earl of Corke and Orrery.

*Lately.* At Woodhall, Argyllshire, lady Eleanor, wife of Walter Frederick Campbell, esq. M.P. for the county of Argyll.

## NOVEMBER.

1. At Gordon castle, the daughter of the late lady Susan Douglas, and niece to the earl of Dinmore.

2. At Elderslie house, N. B. A. Speirs, esq. of Elderslie. He was dressing to attend a public dinner, which was to be given in his honour at Johnstoun.

3. At his seat at Coates, in Fifeshire, aged 66, sir John Leslie, knt. K.H. professor of natural philosophy in the University of Edinburgh, a corresponding member of the institute of France, &c.

Sir John Leslie was born in April 1766, at Largo, (two miles from the place of his death); and was destined by his parents to follow their humble occupations connected with a small farm and mill. But before he had reached his twelfth year, he had attracted considerable notice by his proneness to calculation and geome-

## DEATHS.—Nov.

trical exercises; and he was mentioned to the late professor John Robinson, and by him to professors Playfair and Stewart. In consequence of their recommendations, and under the patronage of the late earl of Kinnoul, his parents were induced to enter him as a student at the University of St. Andrews; and after he had passed some time there, he removed to Edinburgh, in company with another youth destined, like himself, to obtain scientific fame,—James Ivory. Whilst a student in Edinburgh, he was employed by Dr. Adam Smith, to assist the studies of his nephew Mr. Douglas, afterwards lord Reston. After completing the usual course of study, not being inclined to enter the church, he proceeded to London; where his first occupation was derived from the late Dr. William Thompson, the author of a “Life of Philip the Third,” and several other works now little remembered. This author by profession was then employed in editing a Bible, published in numbers, and he engaged Mr. Leslie to write and correct the notes. Mr. Leslie’s first important literary undertaking, was a translation of Buffon’s “Natural History of Birds,” which was published in 1793, in nine octavo volumes. The sum he received for it laid the foundation of that pecuniary independence, which his prudent habits enabled him early to attain. Some time afterwards he proceeded to the United States of America, as a tutor to one of the family of the Randolphs; and after his return to Britain, he visited with the late Mr. Thomas Wedgwood, various parts of the continent. At what period Mr. Leslie first struck into his inquiries regarding radiant heat, and the connection between light and heat, is not accurately known; but his differential thermometer must have been invented before 1800, when it was described in Nicholson’s Philosophical Journal. The results of those fine inquiries, in which he was much aided by this exquisite instrument, were given to the world in 1804, in his “Essay on the Nature and Propagation of Heat,” which the Royal Society honoured, in the following year, by the Rumford medal. In 1805 Mr. Leslie was elected to the mathematical chair in the University of Edinburgh; an appointment which was long, but unsuccessfully, opposed in the ecclesiastical courts, by the strict presbyterian clergy, on account of the supposed scepticism of the professor. In 1809 he published Elements of Geo-

metry, Geometrical Analysis, and Plane Trigonometry, 2nd edition, 1811. In 1810 he discovered that beautiful process of artificial congelation, which enabled him to convert water and mercury into ice. In 1813 he published “An Account of Experiments and Instruments depending on the relations of Air to Heat and Moisture.” In 1819, on the death of professor Playfair, he was removed to the chair of Natural Philosophy. He was knighted on the 27th of June last. Of his elements of natural philosophy, compiled for the use of his pupils, only one volume has been published. He wrote, besides the works already mentioned, some admirable articles in the Edinburgh Review, and several very valuable treatises on different branches of Physics, in the Supplement to the Encyclopedia Britannica. His last and one of his best and most interesting productions, was a Discourse on the History of Mathematical and Physical Science during the Eighteenth century, prefixed to the seventh edition of the Encyclopedia Britannica.

3. At Naples, in his 63rd year, the rt. hon. Thomas Noel Hill, second baron Berwick, of Attingham, in the county of Salop (1784) D.C.L. and F.S.A.

4. At his house in Russell-square, aged 78, the right hon. Charles Abbott, baron Tenterden, of Hendon, in the county of Middlesex, a privy councillor, chief justice of the court of king’s bench, deputy speaker of the house of lords, an official trustee of the British Museum, &c. &c. This eminent judge was born at Canterbury, Oct. 7, 1762. His father was a hair-dresser, or, to use the customary term of that day, a barber, whose house stood on the left-hand side of the western entrance to the cathedral. At the proper age he became a scholar at the free-school at Canterbury, which is open, as of right, to the sons of all the burgesses, and was sent to Corpus Christi college, Oxford, in the year 1780 or 1781. In the year 1784, Mr. Abbott obtained the prize of twenty pounds, for the best composition in Latin verse, the subject being Globus Aerostaticus, the air balloon which Lunardi, the inventor, had about that time introduced into England. In 1786, the thesis for composition in English prose, was “The Use and Abuse of Satire,” and this prize was likewise gained by Mr. Abbott. Mr. Abbott thus established his character at the university for diligence and scholarship, and at once



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justified the liberal patronage of his friends, and gained a reputation which was eventually of the greatest service to him in future life. Like lord Eldon and lord Stowell, Mr. Abbott was very soon elected to a fellowship in his college, and, like the latter of these noblemen, he became a tutor. Whilst in this office, one of the sons of sir Francis Buller, the eminent judge, fell under his tuition, and the father became so much pleased with the talents of Mr. Abbott, that he immediately recommended him to quit his collegiate life, and to take his chance at the bar. Mr. Abbott complied with the recommendation, giving up his tutorship, but keeping his fellowship. He came up to town, and entered himself as a student of law. After he was called to the bar, though not much known as an advocate, he had a very high reputation as a consulting lawyer. Whilst at the bar, Mr. Abbott wrote his work upon shipping, which he dedicated to lord Eldon, at that time lord chancellor, stating that his lordship had himself suggested the work, and that he had undertaken it by his advice. It is very strongly marked with that common sense and diligent reading which had always characterized the author. The style is singularly plain and unaffected. This book procured him the patronage both of the Chancellor and lord Ellenborough. On the 17th of Jan. 1816, the death of Mr. Justice Heath having made a vacancy in the Common Pleas, it was immediately filled up with the name of Mr. Abbott. In his performance of the duties of this office, Mr. Justice Abbott displayed that degree of useful knowledge for which the lord Chancellor had given him credit, and when the death of sir Simon Le Blanc, in the following April, made a vacancy in the court of king's bench, the Chancellor again advanced Mr. Justice Abbott. On the death of lord Ellenborough in November 1818, he was made chief justice of the king's bench. He was raised to the peerage by patent dated April 25, 1827. Lord Tenterden had been for some time before his death seriously indisposed. He was unable to leave his house after he returned home on Friday Oct. 25. On Saturday Nov. 3, an unfavourable change took place, and his lordship continued to get worse until twenty minutes before nine o'clock the following morning, when he expired. Lord Tenterden married July 13, 1795, Mary, eldest daughter of John Lagier Lamotte,

esq. of Basildon, Berks, by whom he had two sons and two daughters. Lady Tenterden did not long survive her husband; she died on the 19th of Dec. of effusion on the brain, the effect of long previous illness, but accelerated by her loss. Shortly before his death, lord Tenterden presented the free grammar school of Canterbury, where his education so auspiciously commenced, with two annual prizes; one for the best English essay, and the other for the best Latin verse, in addition to a contribution every year of 5*l.* to the school feast society.

4. At Ramagate, sir James Samuel William Lake, the fourth baronet (1711).

6. At Prestwold-hall, Miss Emma Dugdale, sister to Richard Stratford Dugdale, esq. of Merevale-hall, in the county of Warwick.

— At Cheltenham, col. John Herries, late commanding the 96th regiment.

9. In Charlotte-street, Portland-place, aged 72, lieut.-col. Robert Broughton, of the E. I. C. service.

— Lieutenant-gen. William Cuppage, R.A. inspector of the Royal carriage department.

10. At Boston, America, aged 56, John Gaspar Spurzheim, M.D. the celebrated phrenologist. Spurzheim was born on the 31st Dec. 1776, at the village of Longvich, near Treves, on the Moselle. His father was a farmer. Being designed by his friends for the profession of theology, he was sent to finish his education at the University of Treves. In consequence of the war in 1799, the students were dispersed, and Spurzheim removed to Vienna, where he became a tutor in a private family. In this capacity, he first became acquainted with Dr. Gall, the founder of the craniological doctrine, as it was then called; and in the year 1800, attended, for the first time, the private course of lectures which Dr. Gall had been occasionally in the habit of giving, at his own residence, for four years past. Allured by the field of speculation opened to his view, Spurzheim devoted himself to anatomy and physiology; and having completed his studies, in 1804, became the associate and fellow-labourer of Dr. Gall. In 1805, Dr. Gall was ordered to discontinue teaching his doctrine, or to quit Vienna; he chose the latter alternative, and with his associate set out on a journey through Europe. They visited the principal cities in Germany, and the north of Europe, and arrived at Paris in 1807. In

## DEATHS.—Nov.

1808, they presented to the institute a joint memoir, on the anatomy of the brain, describing the structure of its convolutions, and their connection with the rest of the cerebral mass. Shortly after, they proceeded in their great work, entitled, "The Anatomy and Physiology of the Nervous System in general, and of the Brain in particular; with observations upon the possibility of ascertaining several intellectual and moral dispositions of man and animals, by the configuration of their heads," 4 vols. in folio, with an atlas of 100 plates. During the publication of this magnificent work, some disagreement, it is alleged, occurred between the authors; and the work, which was not completed until 1819, was continued by Gall singly. In 1814, Dr. Spurzheim visited England, and by his lectures and writings, disseminated a knowledge of phrenology, and rendered its principles in some degree popular. A vehement attack was made on the doctrine and its authors, by the late Dr. John Gordon, in the 49th number of the *Edinburgh Review*. "We look," says Dr. Gordon, "upon the whole doctrines, taught by these two modern, peripatetics, (Drs. Gall and Spurzheim) anatomical, physiological, and physiognomical, as a piece of thorough quackery, from beginning to end; they are a collection of mere absurdities, without truth, connection, or consistency, which nothing could have induced any man to have presented to the public, under pretence of instructing them, but absolute insanity, gross ignorance, or the most matchless assurance." To this criticism Dr. Spurzheim published a calm and temperate reply. In 1817 he returned to Paris, and revisited England in 1825. Until his departure for America, he continued to give lectures in the principal cities of England, Ireland, and Scotland; and occasionally, during this period, passed his time at Paris. About the time of his return to England, he married a French lady, whom he lost three or four years afterwards. During his residence in England, Dr. Spurzheim published the following works. 1. *The New Physiognomical System*. 2. *Phrenology, or the Doctrine of the Mind*. 3. *Philosophical Principles of Phrenology*. 4. *Outlines of Phrenology*. 5. *Elementary Principles of Education*. 6. *Examination of the Objections made in Great Britain against Phrenology*. 7. *Observations on Insanity*. 8. *Illustrations of Phrenology, in connection*

with the Study of Physiognomy." 9. *A Catechism of Man*. 10. *The Anatomy of the Brain*.

11. At Dale-park, Sussex, in her 60th year, the right hon. Frances dowager marchioness of Bute. She was the second daughter of Mr. Coutts, the banker, and sister to the dowager countess of Guildford and lady Burdett. She became the second wife of John first marquis of Bute, Sept. 17, 1800, and was left his widow, Nov. 16, 1814, with a daughter and one son—Frances, now viscountess Sandon, and lord Dudley Coutts Stuart.

12. Mr. William Hardy, astronomical clock and chronometer maker, Woodstreet, Spa-fields. For improvements in mechanism, he was four times rewarded by the Society of Arts. The correctness and superior workmanship of a clock made by him on a new principle for the Royal Observatory at Greenwich, attracted the notice of the most distinguished astronomers; and he was in consequence employed to make three astronomical clocks for the Russian government, three for the American government, one for the Anderson Institution at Glasgow, one for the Observatory at the Cape of Good Hope, one for general sir T. Brisbane, &c.

14. At Brighton, in her 56th year, the right hon. Frances Henrietta lady Stafford. Her ladyship was a woman of superior mind and accomplishments; among her other pursuits that of architecture was a favourite with her, and of her admirable taste in it, the family seat, Cossey Hall near Norwich, rebuilt under her immediate direction, and partly according to her own ideas and sketches, affords ample proof. This mansion is an exquisite specimen of a pure and rich domestic gothic style; nor has it undeservedly been complimented as the "*Windsor of Norfolk*."

15. Aged 65, the hon. and right rev. Richard Bourke, D.D. lord bishop of Waterford and Lismore; next brother to the earl of Mayo.

— At Cheltenham, after a very painful and lingering illness, aged 67, rear-admiral William Cumberland, youngest son of the late Richard Cumberland, esq. the dramatist.

-- At Glenliffon, county of Carnarvon, aged 30, the right hon. Thomas John Winn second lord Newborough in the peerage of Ireland (1776), and fourth baronet, of Bodwean, county of Carnarvon (1742). His lordship was the second son of Thomas

## DEATHS.—DEC.

the first lord, and the elder of his two sons by his second wife Maria Stella Petronilla, the reputed daughter of Lorenzo Chiappini, but who now claims to be the legitimate daughter of Louis duke of Orleans, alias Egalité; stating the present king of the French to be the child of Chiappini; she was married to baron Steynberg in 1810. (See Chron. 151.)

16. At Bishopsthorpe Palace, York, aged 71, lady Anne Vernon Harcourt, wife of his grace the archbishop of York. sister to the duchess of Beaufort, marquis of Stafford, countess of Carlisle, and countess of Harrowby.

— At Oak Bank, near Seven Oaks, aged 61, the right hon. Catherine Anne countess of Aboyne.

19. At Burton Agnes, aged 55, sir Francis Boynton, the eighth baronet.

— In Lambeth Workhouse, aged 40, Mrs. E. Beverley, an actress of some celebrity at Covent-garden and Drury-lane theatres. Some years since, her husband was proprietor or lessee of the Bath and Bristol theatres. She had subsisted by writing pamphlets of dog-grel verses, which she sold for a shilling each.

23. Aged 103, Mr. Wm. Branan, of Rochdale. He was a native of Ireland, and retained his mental and bodily faculties to the last. When turned of 100 years of age, he walked from Rochdale to Nottingham, a distance of eighty miles in two days; and, within the last six months, he walked twenty-two miles in one day.

— At Twyford-lodge, aged 83, W. L. Sewell, esq. many years one of the six clerks in Chancery.

24. At Brighton, the hon. Emily Montagu, youngest daughter of the late lord Rokeby.

— At Norton, near Worksop, aged 82, Edward Ephraim Pote, esq. many years resident at Patna, in Bengal, and formerly fellow of King's College, Cambridge, to which he was removed from the foundation at Eton in 1768.

— In his 40th year, lieutenant-colonel Francis Russell, captain and lieutenant-colonel in the Coldstream Guards, and M.P. for Tavistock; nephew to the duke of Bedford and the earl of Jersey.

*Lately.* Robert Harty, esq. alderman and late lord mayor of Dublin, and an unsuccessful parliamentary candidate for that city in 1831.

At Southwick, Hampshire, lieut.-  
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general Dunlop, of Dunlop, col. of the seventy-fifth regiment of foot.

Aged 96, Mr. Carroll, grandfather to the marchioness of Wellesley, and the last surviving member of that Congress which agreed to the Declaration of Independence. The president of the United States has issued this tribute to the patriot: "The last survivor of the signers of the Declaration of Independence—he who for many years has been the precious relic of the band of July 4th 1776—is no more! The death of Charles Carroll, of Carrollton, is announced to us. As a mark of the respect due to the occasion, the offices of the United States government in this city will be closed to-morrow the 16th instant." Andrew Jackson.  
Washington, Nov. 15.

At Vienna, at the age of 92, Andrew count O'Reilly, general of cavalry in the Austrian army, chamberlain, commander of the imperial military order of Maria Theresa, colonel proprietaire of the 3rd regiment of light horse, &c.

## DECEMBER.

1. At Ravensworth Castle, aged 17, the hon. Charles Liddell, seventh son of lord Ravensworth.

2. William Bray, esq. F.S.A. a well known solicitor and antiquary, in his 97th year.

3. At Carclew, near Falmouth, in his 32nd year, Thomas Hyde Villiers, esq. secretary to the Board of Control, and M.P. for Bletchingley, nephew to the earls of Clarendon and Morley.

— At Clifton, in his 80th year, Henry Lee, esq. formerly of the Customs, London, and late of Dynas Powis, Glamorganshire.

— At his house in Merrion-square, Dublin, sir Capel Molyneux, the fourth baronet, of Castle Dillon, county of Armagh (1730).

— Anne, wife of sir Edward Stracey, bart. of Rackheath Hall, daughter and sole heiress of Wm. Brooksbank, esq. of the Beech.

— At Sudbrook Park, aged 18, the hon. Georgiana Sarah Elizabeth Lambton, second daughter of lord Durham.

4. At Dublin, the countess Elizabeth d'Alton Begg, relict of Ignatius d'Alton of Mount d'Alton, county of Westmeath, esq. sister and co-heiress of Oliver count d'Alton, and niece to field-marshal Richard count d'Alton, governor of the

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Austrian Netherlands in the reign of the emperor Joseph II.

— At Dorchester, Henry S. Kelly, esq. late of the city of Cork, and proprietor of the Peristrepthic panorama.

5. At Knapton, near Abbeylax, Queen's County, the hon. and rev. Arthur Vessey, rector of Abbeylax, and Ballymakay, only brother to the viscount de Vesce.

6. John Hanbury, esq. formerly store-keeper-general to the British army in Spain; cousin to the banker and brewer of that name. He had been for some time insane, and terminated his life by hanging himself on one of the bridges at Hornsey. His body was found floating in the New River.

— At Castle Rushen, Isle of Man, lieutenant-governor Smelt, governor of the island since the death of the duke of Athol.

8. At Edinburgh, aged 83, the right hon. Henrietta viscountess Duncan. She was the second daughter of the right hon. Robert Dundas, president of the Court of Session, and niece to Henry first viscount Melville; was married to admiral Duncan, who was created a viscount in 1797, after the victory off Camperdown, and left his widow Aug. 4, 1804.

— At Limerick, by cutting his throat, captain Frank Stanway, principal of the engineer department of that district.

— At Skibbereen, aged 53, the right rev. Dr. Collins, for seven years the titular bishop of Cork.

10. At Leamington, suddenly by the rupture of a blood-vessel on the lungs, in his 43rd year, the right hon. Thomas Lister, second baron of Ribblesdale, of Gisburne Park.

12. Aged 33, Mr. Leman Thomas Tertius Rede. He was bred to the law, but afterwards embraced the stage; and was also the author of "Memoirs of Canning," "Road to the Stage," "Oxberry's Dramatic Biography," &c. His last appearance on the stage was a fortnight before his death, at Sadler's Wells. He married, in 1824, Mrs. Oxberry, widow of the late comedian.

— At Dover, aged 70, John Hatley, esq. capt. R.N., said to be the last survivor of the companions of captain Cook.

13. At Dublin, major d'Arcy for many years inspector-general of police.

14. Aged 41, Philip Bartlett, esq. of Buckingham. He was attacked by brain fever, brought on by over-excitement during the recent political contest, in

promoting the success of Mr. Morgan, who was defeated by sir T. Freemantle

16. In Dublin, Catherine-Elizabeth wife of the very rev. sir George Bishopp, bart. dean of Lismore, and youngest daughter of the late captain Andrew Sproule, R.N.

18. In Stephen's-green, Dublin, at a very advanced age, James Henthorn, esq. one of the founders of, and for many years secretary to, the Royal College of Surgeons, Dublin.

18. At Milan, aged 35, Spencer Wm. Wolseley, eldest son of sir Charles Wolseley, bart.

19. At his house in Great Russell Street, in his 64th year, Augustus Pugin, esq. well known to all admirers of the fine arts by his numerous publications relative to architecture. Among these, his "Specimens of Gothic Architecture," and his "Gothic Examples," forming a continuation of the other work, are pre-eminent both for their usefulness and their excellence. His "Antiquities of Normandy" likewise display the same attentive study and the same fascinating execution. In addition to the preceding, may be mentioned his work on "Ornamental Gables," and that on "Gothic Ornaments." Mr. Pugin was a native of France, but may be considered an English artist, having resided in this country upwards of forty years. In private life his character was most amiable, honourable, and independent.

20. Aged 72, the right hon. Louisa countess dowager of Aylesford; sister to the marquis of Bath and lord Carteret, and aunt to the duchess of Buccleuch, the earl of Chesterfield, the countess of Cawdor, &c.

22. Lieutenant-colonel Pierse, E. I. service, brother of colonel Pierse, C.B. Bombay artillery.

23. At Enfield, aged 83, the right hon. Charles Henry Sloane Cadogan, second earl Cadogan and viscount Chelsea (1800), and fourth lord Cadogan, baron of Oakley in Buckinghamshire. (1718)

— At Connaught-terrace, aged 63, sir John Cox of Dunmanway.

28. In Hamilton-place, after a lingering illness, aged 66, the right hon. Henry Conyngham, first marquis Conyngham earl of Mount Charles, county of Donegal, and viscount Slane, county of Meath (1816), earl Conyngham, and viscount Mount Charles (1797), viscount Conyngham of Slane (1789), and third lord

## DEATHS.—DEC.

Conyngham of Mount Charles (1780 all in the peerage of Ireland; first baron Minster, of Minster in Kent, in the peerage of the United Kingdom (1821); K.P. and G.C.H.; a representative peer for Ireland, and a privy councillor; a general in the army; governor and captain, and also constable and lieutenant of Windsor Castle; *custos rotulorum* of the county of Clare, and one of the governors of the county of Donegal; M.R.I.A. &c. &c.

29. At Stuttgard, aged 68, baron Cotta, an eminent publisher, and vice president of the Wurtemberg Chamber of Deputies. Cotta's typographical enterprises have spread his fame to the remotest corners of the reading world, and there was scarcely a scholar or man of literature in Germany, from Schiller, Herder, and Goethe, to the Royal Bard of Bavaria, whose writings did not pass through his hands as their publisher. He had typographical establishments in Munich, Stuttgard, and Tübingen; yet,

he found time to become an active promoter of steam navigation on the Rhine and the Lake of Constance, and was affluent enough to invest large sums of money in the Germanic-American Mining Companies, and the Rhenish West Indian Trade Society.

30. At Merrival Hall, Warwick, aged 60, the hon Charlotte Dugdale wife of Dugdale Stratford Dugdale esq. and aunt to earl Howe.

Lately. At Rome, aged 82, madame Letitia Bonaparte, mother of Napoleon. Her maiden name was Letitia Ramolini.

—At Cork, aged 37, Mr. Robert Honner Toott, late of H. M. cutter Raven. He was mate of the Hecla, in captain Parry's N.W. expedition of 1827, and drew all the charts constructed on that voyage; and was employed in the late survey of the coast of Africa, under captain W. F. W. Owen, R.N.

—At Norwich, aged 75, sir William Playters, bart,



FINANCE ACCOUNTS.

- CLASS I. PUBLIC INCOME.
- II. PUBLIC EXPENDITURE.
- III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.
Customs .....	19,645,939 10 1½	1,378,865 14 6½
Excise .....	19,093,342 19 7½	1,679,807 11 1½
Stamps .....	7,427,600 1 6½	288,961 5 1
Taxes, under the Management of the Commissioners of Taxes ....	5,228,937 5 11½	6,218 17 9½
Post Office .....	2,321,311 10 3	93,947 5 3½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions .....	39,257 10 8½	.. ..
Hackney Coaches, and Hawkers and Pedlars .....	70,993 7 8	.. ..
Crown Lands .....	373,770 10 2½	.. ..
Small Branches of the King's Hereditary Revenue .....	6,820 6 2	.. ..
Surplus Fees of Regulated Public Offices.....	37,926 16 9½	.. ..
Poundage Fees, Pells' Fees, Casualties, Treasury Fees, and Hospital Fees .....	4,539 13 7½	.. ..
TOTALS of Ordinary Revenues.....	54,250,439 12 7½	3,447,800 13 10½
EXTRAORDINARY RESOURCES.		
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71.....	60,000 0 0	.. ..
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public.....	29,367 15 11½	.. ..
Money received from the Bank of England on account of Unclaimed Dividends.....	41,426 9 0	.. ..
TOTALS of the Public Income of the United Kingdom ....	54,381,233 17 7	3,447,800 13 10½

## FOR THE YEAR 1832.

CLASS IV. PUBLIC FUNDED DEBT,

V. UNFUNDED DEBT.

VI. TRADE AND NAVIGATION.

## FOR THE YEAR ENDED 5TH JANUARY, 1832.

NETT RECEIPT within the Year, after deducting REPAYMENTS &c.	TOTAL INCOME, including BALANCES.	Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1832.	Rate per Cent for which the Gross Receipt was col- lected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
18,267,073 15 6½	18,924,987 12 10½	1,783,246 3 4½	16,516,271 5 4½	625,470 4 1½	6 14 2
17,413,535 8 6½	18,120,079 14 4	1,244,363 6 5½	16,303,025 7 4½	572,691 0 5½	5 18 7
7,188,638 16 5½	7,410,088 14 10	185,109 19 1½	6,947,829 8 3	277,149 7 5½	2 9 10
5,222,718 8 1½	5,318,508 12 0½	305,764 2 10½	4,864,343 0 5½	148,401 8 9	5 7 7
2,227,364 4 11½	2,399,533 18 9½	698,661 16 2	1,530,205 19 3	170,666 3 4½	28 7 2
39,257 10 8½	42,383 8 1½	1,221 7 5	38,888 9 4½	2,273 11 4	3 2 2
70,993 7 8	71,152 12 9	12,239 11 7½	46,565 2 11½	12,347 18 2	17 4 9
373,770 10 2½	419,043 19 10	354,539 12 6	.. ..	64,504 7 4	7 0 10
6,820 6 2	7,072 15 3½	3,021 5 9½	4,051 9 6	.. ..	14 19 5
37,926 16 9½	37,926 16 9½	.. ..	37,926 16 9½	.. ..	..
4,539 13 7½	4,539 13 7½	.. ..	4,539 13 7½	.. ..	..
50,802,638 18 9	52,755,317 19 4	4,588,167 5 4½	46,293,646 12 11½	1,873,504 1 0½	6 13 3
60,000 0 0	60,000 0 0	.. ..	60,000 0 0	.. ..	..
29,367 15 11½	29,367 15 11½	.. ..	29,367 15 11½	.. ..	..
41,426 9 0	41,426 9 0	.. ..	41,426 9 0	.. ..	..
50,933,433 3 8½	52,886,112 4 3½	4,588,167 5 4½	46,424,440 17 11	1,873,504 1 0½	..

## PUBLIC EXPENDITURE

Of the United Kingdom in the Year ended 5th January, 1882, exclusive of the Sums applied to the Reduction of the National Debt within the same Period.

EXPENDITURE.	—	—
<i>Payments out of the Income in its Progress to the Exchequer.</i>	<i>£. s. d.</i>	<i>£. s. d.</i>
Charges of Collection .....	3,615,368 15 1	
Other Payments .....	972,798 10 3½	
Total Payments out of the Income, in its progress to the Exchequer .....		4,588,167 5 4½
<i>Funded Debt.</i>		
Interest and Management of the Permanent Debt.....	24,372,204 0 6½	
Terminable Annuities .....	3,318,668 14 4½	
Total Charge of the Funded Debt, exclusive of £5,492 4s. 4d. the Interest on Donations and Bequests .....	27,691,562 14 11	
<i>Unfunded Debt.</i>		
Interest on Exchequer Bills .....	649,833 8 2	
Civil List charges, from 26th June 1830 to 31st December 1831.	770,604 7 10½	32,341,416 8 1
Civil List, chargeable on the Hereditary Revenue of the Crown.	100,231 12 9½	
	870,836 0 8½	
Deduct:—Repayments for Advances for the same, made out of Parliamentary Grants and other Funds, per Act 1 Will. 4, c. 25 .....	359,522 0 7½	
	511,314 0 1½	
Pensions .....	437,568 9 11½	
Salaries and Allowances .....	86,334 15 11½	
Courts of Justice .....	276,924 17 7½	
Miscellaneous Charges on the Consolidated Fund .....	217,324 5 9	
Mint Establishment .....	16,349 13 4	
Bounties granted for the encouragement of Hemp and Flax in Scotland, per 27 Geo. III. c. 13, s. 63.....	2,056 12 8	
		1,548,772 16 5½
		34,478,356 4 10½
Army .....	7,216,292 18 11½	
Navy .....	5,689,858 16 7	
Ordnance .....	1,472,944 0 0	
Miscellaneous chargeable upon annual Grants of Parliament....	3,854,013 8 10½	
		17,233,109 4 4½
		51,711,465 9 3½

## DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1831, have been disposed of; distinguished under their several Heads; to 5th January, 1832.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY ... ..	5,870,551	1	8	4,365,000	0	0
ORDNANCE ... ..	1,418,817	0	0	888,500	0	0
FORCES ... ..	7,732,967	13	6	5,594,215	6	7
For defraying the Charge of Civil Contingen- cies; for the year 1831 ... ..	80,000	0	0	73,860	9	8
To defray the Salaries and Allowances to the Officers of the Houses of Lords and Com- mons; for the year 1831 ... ..	43,200	0	0	43,200	0	0
To defray the Expenses of the Houses of Lords and Commons; for the year 1831...	31,900	0	0	24,500	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Treasury; for the year 1831 ... ..	45,400	0	0	32,100	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Home Secretary of State; for the year 1831 ...	11,137	0	0	11,137	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Foreign Secretary of State; for the year 1831 ... ..	15,709	0	0	14,000	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Secretary of State for the Colonies; for the year 1831 ... ..	16,475	0	0	16,475	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's most honourable Privy Council and Com- mittee of Privy Council for Trade; for the year 1831 ... ..	18,664	0	0	14,871	14	5
To defray the Contingent Expenses and Mes- sengers' Bills, in the Department of his Majesty's Treasury; for the year 1831 ...	9,375	0	0	9,375	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Home Secretary of State; for the year 1831 ... ..	8,373	0	0	7,584	0	0
To defray the Contingent Expenses and Mes- sengers' Bills, in the Department of his Majesty's Foreign Secretary of State; for the year 1831 ... ..	35,155	0	0	33,000	0	0
To defray the Contingent Expenses and Mes-						

SERVICES,	SUMS Voted or Granted,	SUMS Paid.
	£. s. d.	£. s. d.
Messengers' Bills, in the Department of his Majesty's Secretary of State for the Colonies; for the year 1831 ... ..	8,430 0 0	5,500 0 0
To defray the Contingent Expenses and Messengers' Bills, in the Departments of his Majesty's most honourable Privy Council and Committee of Privy Council, for Trade; for the year 1831 ... ..	2,880 0 0	2,880 0 0
To defray the Expenses of Messengers attending the First Lord of the Treasury and Chancellor of the Exchequer, the four Patent Messengers of the Court of Exchequer, and various ancient Allowances to Officers of that Court and others ...	2,800 0 0	2,800 0 0
To pay the Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures; for the year 1831 ... ..	958 5 0	958 5 0
To make good the Deficiency of the Fee Fund, in the Office of Registry of Colonial Slaves, in Great Britain; for the year 1831 ... ..	1,070 0 0	782 12 9
To defray the Expenses of the State Paper Office; for the year 1831 ... ..	2,200 0 0	1,593 18 3
To pay the usual Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin-in-the-Fields, and others; for the year 1831 ... ..	5,612 0 0	2,334 17 0
To defray the Expense of Printing Acts and Bills, Reports, and other Papers, for the two Houses of Parliament; for the year 1831 ... ..	104,300 0 0	52,178 16 1½
To defray the extraordinary Expenses of the Mint, in the Coinage of Gold; for the year 1831 ... ..	15,000 0 0	7,000 0 0
To defray the extraordinary Expenses that may be incurred for Prosecutions for Offences against the Laws relating to Coin; for the year 1831 ... ..	8,000 0 0	8,000 0 0
To defray the Expense of Law Charges; for the year 1831 ... ..	15,000 0 0	10,000 0 0
To defray the Expenses incurred for the support of Captured Negroes, Liberated Africans, et cetera; for the year 1831, under the several Acts for the Abolition of the Slave Trade ... ..	25,000 0 0	25,000 0 0
To defray, in the year 1831, the Amount of Bills drawn from New South Wales and Van Diemen's Land, on account of the Expenses incurred at those Settlements for Convicts ... ..	120,000 0 0	—
The following SERVICES are directed to be		



SERVICES,	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
paid without any Fee or other Deductions whatsoever :						
For defraying the CHARGE of the CIVIL ESTABLISHMENTS undermentioned ; viz.						
Of the Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund and the incidental Charges attending the same ; for the year 1831 ...	2,940	0	0	2,400	0	0
Of Nova Scotia ; for the year 1831 ...	6,625	0	0	5,700	0	0
Of the Islands of Bermuda ; for the year 1831 ...	4,000	0	0	2,000	0	0
Of Prince Edward's Island ; for the year 1831 ...	3,320	0	0	2,920	0	0
Of the Island of Newfoundland ; for the year 1831 ... ..	11,261	0	0	5,900	0	0
Of Sierra Leone ; for the year 1831 ...	9,730	15	10	—		
Of the Forts at Cape Coast Castle and Accra ; for the year 1831 ... ..	4,000	0	0	—		
Of Fernando Po ; for the year 1831 ...	37,154	0	0	12,107	19	11
Of the Settlement in Western Australia ; for the year 1831 ... ..	24,895	0	0	12,230	15	8
To defray the estimated Expenditure of the British Museum, for the year ending at Christmas 1831 ... ..	14,451	0	0	14,451	0	0
To defray, in the year 1831, the Expense of Works and Repairs of Public Buildings, and for Furniture and other Charges defrayed by the Office of Works, and for the Repairs and Alterations of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List, and for Repairs of the Royal Palace of Holyrood House and certain Public Buildings in Scotland, heretofore charged on the Hereditary Revenues of Scotland ... ..	73,800	0	0	22,358	8	9
To defray the Expense of Works executing at Port Patrick Harbour ; for the year 1831 ... ..	4,770	0	0	4,770	0	0
To defray the Expense of Works executing at Donaghadee Harbour ; for the year 1831 ... ..	4,000	0	0	4,000	0	0
To defray the Expense of the New Buildings at the British Museum ; for the year 1831. ... ..	12,000	0	0	4,069	15	1
To defray the Expenses of the Holyhead and Howth Roads and Harbours ; for the year 1831 ... ..	4,700	0	0	4,700	0	0
Towards defraying the Expense of erecting, in the year 1831, a Custom House, Exoize Office, Stamp Office, and Post Office, at Liverpool, and also an Office for the Liverpool Dock Company ... ..	25,000	0	0	25,000	0	0
To defray the Charge of Retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service ; for the year 1831 ... ..	15,798	10	0	11,353	0	3

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To pay the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the Contingent Expenses of their Office; for the year 1831, and also the Expenses attendant upon the Circuit ...	18,156	0	0	6,000	0	0
To pay, in the year 1831, the Salaries of the Officers, and the contingent Expenses of the Office for the Superintendence of Aliens, and also the Superannuation or Retired Allowances to Officers, formerly employed in that Service ...	3,856	0	0	3,000	0	0
To defray the Expense of the Establishment of the Penitentiary at Millbank; for the year 1831 ...	8,565	0	0	4,000	0	0
To defray the Expense of the Office of Works; for the year 1831 ...	11,269	0	0	7,631	11	0
To enable his Majesty to grant relief, in the year 1831, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from his Majesty, and who, from Services performed or losses sustained in the British Service, have special Claims upon his Majesty's Justice and Liberality..	15,920	0	0	9,450	0	0
To defray the Expense of the National Vaccine Establishment; for the year 1831 ...	2,500	0	0	2,500	0	0
For the support of the Institution called the "Refuge for the Destitute;" for the year 1831 ...	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1831 ...	3,039	0	0	2,789	2	11
For his Majesty's Foreign and other Secret Services; for the year 1831 ...	41,000	0	0	29,775	0	0
To defray the Expense of providing Stationery, Printing and Binding for the several Public Departments of Government; for the year 1831; and also for providing Paper for the Printing which may be ordered in the year 1832 by the two Houses of Parliament, and for the Charge of the Stationery Office ...	129,471	0	0	70,000	0	0
To defray the Expense attending the confining, maintaining and employing Convicts at Home and in Bermuda; for the year 1831	108,165	0	0	108,165	0	0
To pay, in the year 1831, the Salaries and incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal Traffic in Slaves, and for Pensions to retired Commissioners ...	19,450	0	0	1,300	0	0
To defray the Expense, in the year 1831, of						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
paying the Fees due and payable to the Officers of the Parliament on all Bills for continuing or amending any Acts for making or maintaining, keeping in repair, or improving Turnpike Roads, which shall pass the two Houses of Parliament, and receive the Royal Assent ... ..	14,250	0	0	12,980	8	0
To defray, in the year 1831, the Expenses of the Commissioners appointed to inquire into the Practice and Proceedings of the Superior Courts of Common Law, and into the Law of England respecting Real Property ... ..	29,900	0	0	28,700	0	0
For the purchase of the Pension granted by his late Majesty King William the Third to James Waller, and regranted by his late Majesty King George the Second to Charles Hooper, Philip Martin, and their Heirs ...	1,846	3	0	—		
To defray the Expense of Printing under the direction of the Commissioners on Public Records; for the year 1831 ... ..	10,500	0	0	10,500	0	0
To defray the Charge of the Salaries of his Majesty's Consuls General and Consuls, for the year 1831; and also for all Contingent Charges and Expenses connected with the Public Duties and Establishments of such Consuls General and Consuls, and for paying the amount of Superannuation Allowances granted to retired Consuls; for the year 1831 ... ..	112,195	0	0	57,633	12	7
To defray the Expenses of the Society for the Propagation of the Gospel in certain of his Majesty's Colonies; for the year 1831 ...	16,182	0	0	16,019	10	0
To defray the Charge, in the year 1831, of providing Stores for New South Wales and Van Diemen's Land, for Convicts, Clothing and Tools for liberated Africans at Sierra Leone, and Indian Presents for Canada ...	47,500	0	0	—		
To defray the Charge, in the year 1831, of improving the Water Communication between Montreal and the Ottawa, from the Ottawa to Kingston, and from Lake Erie to Lake Ontario ... ..	296,000	0	0	296,000	0	0
To make good the losses sustained by Louis Celeste Lescene and John Escoffery, in consequence of their removal from Jamaica in the year 1823, by order of the Duke of Manchester, the Governor of that Island ...	11,276	19	5	11,276	19	5
To defray the Expenses which may probably be incurred at the Coronation of their Majesties ... ..	50,000	0	0	50,000	0	0
To defray the Expense incurred and to be incurred in the year 1831, in carrying on the Repairs and Alterations at Windsor Castle,						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
and in providing Furniture, and on account of Debts for Work done and Contracts entered into for Buckingham House, previous to the 15th day of February 1831 ...	163,670	9	2	62,101	12	10
To provide for the payment of certain Salaries, Allowances, Pensions and Services heretofore paid out of the Civil List for England and Ireland, the Hereditary Revenues of the Crown in Scotland, and the Four-and-Half per Cent Duty, but for which no provision has been made in the Civil List granted to his present Majesty, from the periods to which the said Services were severally last paid, to the 5th day of July 1831 ...	240,000	0	0	225,677	6	0½
To defray, in the year 1831, certain Charges in Scotland, heretofore paid out of the Hereditary Revenues, or out of the Customs and Excise Revenues, in their progress to the Exchequer ...	39,835	0	0	16,621	11	9
To provide for the payment of certain Salaries, Allowances, Pensions, and Services heretofore paid out of the Civil List of England and Ireland, the Hereditary Revenues of the Crown in Scotland, and the Four-and-Half per Cent Duty, but for which no provision has been made in the Civil List of his present Majesty, from the period to which the said Services were severally last paid, to the 10th day of October 1831 ...	120,000	0	0	86,982	10	9½
For defraying the CHARGE of the following SERVICES in IRELAND, which are directed to be paid Net in British Currency :						
To defray the Expense of the Protestant Charter Schools; for the year 1831 ...	5,794	0	0	5,794	0	0
To defray the Expense of the Foundling Hospital in Dublin; for the year 1831 ...	27,824	0	0	27,824	0	0
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, and the Three General Hospitals attached; for the year 1831 ...	21,200	0	0	15,000	0	0
To defray the Expense of the Richmond Lunatic Asylum; for the year 1831 ...	1,388	0	0	1,388	0	0
To defray the Expense of the Hibernian Society for Soldiers' Children; for the year 1831 .	6,323	0	0	6,323	0	0
To defray the Expense of the Hibernian Marine Society; for the year 1831 ...	1,268	0	0	1,268	0	0
To defray the Expense of the Female Orphan House in Dublin; for the year 1831 ...	1,291	0	0	1,291	0	0
To defray the Expense of the Westmorland Lock Hospital; for the year 1831 ...	2,900	0	0	2,900	0	0

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expense of the Lying-in Hospital; for the year 1831 ... ..	2,000	0	0	1,000	0	0
To defray the Expense of Dr. Steevens's Hospital; for the year 1831 ... ..	1,578	0	0	1,578	0	0
To defray the Expense of the Fever Hospital, Cork-street, Dublin; for the year 1831 ...	2,860	0	0	2,860	0	0
To defray the Expense of the Hospital for Incurables; for the year 1831 ... ..	465	0	0	465	0	0
To defray the Expense of the Royal Dublin Society; for the year 1831 ... ..	5,500	0	0	5,500	0	0
To defray the Expense of the Royal Irish Academy; for the year 1831 ... ..	300	0	0	300	0	0
To defray the Expense of the Belfast Academical Institution; for the year 1831 ...	1,500	0	0	1,500	0	0
To enable the Lord Lieutenant of Ireland to issue Money in aid of Schools and for the Advancement of Education ... ..	30,000	0	0	26,670	19	11
To defray the Expense of the Roman Catholic College at Maynooth; for the year 1831...	8,928	0	0	6,696	0	0
To defray the Expense of the Board of Charitable Bequests; for the year 1831 ...	700	0	0	700	0	0
To defray the Expense of the Board of Works; for the year 1831 ... ..	12,900	0	0	2,890	8	4
To pay the Salaries and other Expenses of the Chief and Under Secretaries' Offices and Apartments and other Public Offices in Dublin Castle, &c.; and also for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; also, Superannuated Allowances in the Chief Secretary's Office; for the year 1831 ... ..	30,419	0	0	20,851	5	9
To defray, in the year 1831, the Charge of Salaries for the Attendants and Officers of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services formerly charged on the Civil List in Ireland ... ..	16,379	14	1	12,993	7	8½
To defray the Charge of the Office of the Vice Treasurer of Ireland; for the year 1831...	5,534	0	0	4,274	5	9
To defray the Charge of the Office of the Teller of his Majesty's Exchequer in Ireland; for the year 1831 ... ..	1,680	0	0	1,260	0	0
To defray the Expense of printing Proclamations and other matters of a Public nature in the Dublin Gazette and other Newspapers in Ireland, and of printing Statutes in Ireland; for the year 1831 ... ..	4,600	0	0	3,901	18	0
To defray the Expense of Criminal Prosecutions and other Law Expenses in Ireland; for the year 1831 ... ..	50,000	0	0	49,418	9	1
To defray the Expense of Nonconforming, Seceding and Protestant Dissenting Ministers in Ireland; for the year 1831 ...	21,741	15	0	15,013	2	2

SERVICES.	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
To pay the Salaries of the Lottery Officers in Ireland, for one year ending on the 24th day of June 1831 ... ..	470 15 5	470 15 5
To defray the Expense of Inland Navigations in Ireland; for the year 1831 ... ..	2,650 0 0	2,650 0 0
To defray the Expenses of the Police and Watch Establishments of the City of Dublin; for the year 1831 ... ..	20,853 0 0	20,853 0 0
To defray the Expense of the Commissioners of Judicial Inquiry; for the year 1831 ...	3,784 0 0	3,694 15 6
To defray, in the year 1831, the Expense of the Record Works, not yet completed ...	1,000 0 0	—
To provide for the Employment of the Poor and the Relief of Distress in certain Districts in Ireland ... ..	40,000 0 0	26,155 15 2
To defray the Salaries of the Commissioners of Public Works in Ireland; for the half-year ending on the 5th day of January 1832	1,100 0 0	—
To provide for the Amount due under the		

**PAYMENTS FOR OTHER SERVICES,**

**Not being part of the Supplies granted for the Service of the Year.**

	Sums Paid to 5th January, 1832.	Estimated further Payments.
	£. s. d.	£. s. d.
Grosvenor Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1 ... ..	150 0 0	50 0 0
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 and 124, and 3 Geo. 4, c. 86 ... ..	2,000 0 0	
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. 3, c. 45 ... ..	3,000 0 0	
By Interest on Exchequer Bills:		
On £.12,000,000, per Act 10 Geo. 4, c. 4	17,618 13 5	
13,433,800 - - - - - 60	10,000 0 0	
12,000,000 - - 11 Geo. 4, c. 3	190,000 0 0	
13,607,600 - - 1 Will. 4, c. 62	280,000 0 0	
	502,768 13 5	50 0 0
		502,768 13 5
TOTAL Payments for Services not voted ... ..		502,818 13 5
Amount of Sums voted ... ..		43,398,887 2 1
TOTAL Sums voted, and Payments for Services not voted ...		43,901,705 15 6



SERVICES.	SUMS Voted or Granted.	SUMS Paid.
head of Criminal Prosecutions in Ireland, on the 1st day of January 1831 ... ..	£. s. d. 27,590 0 0	£. s. d. 23,243 11 7
	17,782,487 2 1	12,799,621 0 9½
To pay off and discharge Exchequer Bills, and that the same be issued and applied to- wards paying off and discharging any Ex- chequer Bills charged on the Aids or Sup- plies of the years 1830 and 1831, now re- maining unpaid and unprovided for ...	25,577,600 0 0	
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for ... ..	38,800 0 0	24,460,630 0 0
	43,398,887 2 1	37,260,271 0 9½

## WAYS AND MEANS for answering the foregoing Services :

Sums to be brought from the Consolidated Fund, per Act 1 Will. 4, c. 9 ... ..	£. s. d. 5,000,000 0 0
- - - - - Ditto - - - - - 1 & 2 Will. 4, c. 28...	8,000,000 0 0
- - - - - Ditto - - - - - - - - - - 54...	1,800,000 0 0
East India Company, per Act 11 Geo. 4, c. 4 ... ..	60,000 0 0
Repayment by the Commissioners for issuing Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom ... ..	141,793 12 6
Duty on Sugar, per Act 1 Will. 4, c. 23 ... ..	3,000,000 0 0
Interest on Land-tax redeemed by Money ... ..	88 10 6½
Repayment of an over issue of Salary to Sir William Alexander and Lord Lyndhurst, Chief Barons of the Exchequer in Suc- cession, from 5th January to 5th July 1831 ... ..	1,000 0 0
Brought from the Civil List Revenue to replace Sums issued out of the Aids granted for the payment of certain Charges upon the Civil List, pursuant to Act 1 Will. 4, c. 25 ... ..	168,566 8 8
Surplus Ways and Means, per Act 1 Will. 4, c. 28 ... ..	93,561 17 0½
Unclaimed Dividends, after deducting Repayments to the Bank of England for deficiency of Balance in their hands ... ..	41,426 9 0
Exchequer Bills voted in Ways and Means; viz. Per Act 1 Will. 4, c. 11 ... .. £.12,000,000 0 0 14 ... .. 13,616,400 0 0	18,304,436 17 9½
	25,616,400 0 0
TOTAL Ways and Means ... ..	43,920,836 17 9½
TOTAL Grants and Payments for Services not voted ... ..	43,901,705 15 6
Surplus Ways and Means . . . . .	19,131 2 3½

PUBLIC  
Of GREAT BRITAIN and IRELAND, and the

DEBT.

	1. CAPITALS.			2. CAPITALS transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
GREAT BRITAIN.									
Debt due to the South Sea } at £. 3 per cent Company .....	3,662,784	8	6	-	-	-	3,662,784	8	6
Old South Sea Annuities ..... Do. ....	3,497,870	2	7	-	-	-	3,497,870	2	7
New South Sea Annuities ..... Do. ....	2,460,830	2	10	-	-	-	2,460,830	2	10
South Sea Annuities, 1751 ..... Do. ....	523,100	0	0	-	-	-	523,100	0	0
Debt due to the Bank of England Do. ....	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1726.. Do. ....	876,494	0	0	444	1	0	876,049	19	0
Consolidated Annuities..... Do. ....	348,719,961	6	4	702,428	18	10	348,017,532	7	6
Reduced Annuities..... Do. ....	124,334,481	5	5	729,768	13	8	123,604,712	11	9
Total at £. 3 per cent..	498,762,321	5	8	1,432,641	13	6	497,329,679	12	2
Annuities .. .. at £. 3½ per cent. 1818..	12,553,755	17	2	-	-	-	12,553,755	17	2
Reduced Annuities .. .. do. ....	63,396,082	10	3	9,374	18	2	63,386,707	12	1
New 3½ per cent Annuities .....	138,087,197	5	3	8,215	3	8	138,078,982	1	7
Annuities created 1826, at 4 per cent.....	10,804,595	0	0	-	-	-	10,804,595	0	0
New £. 5 per cent Annuities .....	462,736	13	4	-	-	-	462,736	13	4
Great Britain.....	724,066,688	11	8	1,450,231	15	4	722,616,456	16	4
IN IRELAND.									
Irish Consolidated £. 3 per cent Annuities.	2,673,545	10	7	-	-	-	2,673,545	10	7
Irish Reduced £. 3 per cent Annuities ....	145,078	17	10	-	-	-	145,078	17	10
£. 3½ per cent Debentures and Stock .....	14,520,904	1	11	-	-	-	14,520,904	1	11
Reduced £. 3½ per cent Annuities .....	1,277,768	17	10	-	-	-	1,277,768	17	10
New 3½ per cent Annuities .....	11,672,700	7	6	-	-	-	11,672,700	7	6
Debt due to the Bank of Ireland, at £. 4 per cent .....	1,615,384	12	4	-	-	-	1,615,384	12	4
New £. 5 per cent Annuities .....	6,661	1	0	-	-	-	6,661	1	0
Debt due to the Bank of Ireland, at £. 5 per cent .....	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland.....	32,927,428	1	4	-	-	-	32,927,428	1	4
Total United Kingdom.....	756,994,116	13	0	1,450,231	15	4	755,543,884	17	8

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly issued to the Commissioners to be applied to the reduction of the said Debt, including Interest receivable on account of Donations and Bequests:—

	£.	s.	d.	
At 6th April 1831.....	728,439	5	7	.... includes 21/ from Ann Jane Horaley.
6th July 1831 .....	724,019	16	5	
11th October 1831.....	473,818	8	9	
6th January 1832.....	2,821	18	1	.... Interest on account of Donations and Bequests.
	1,929,099	8	10	

**CHARGE** thereupon, at the 5th January, 1832.

		IN GREAT BRITAIN.			IN IRELAND.			TOTAL ANNUAL CHARGE		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital .....	22,865,891	13	0	1,161,774	9	5			
	Long Annuities, expire 1860 .....	1,193,033	5	4	67	18	1			
	Annuities per 4 Geo. 4, c. 22, do. 1867.....	585,740	0	0	—					
	Annuities per 10 Geo. 4, c. 24, expire at various periods ..	777,301	16	6	—					
	Annuities to the Trustees of the Waterloo Subscription Fund, per 59 Geo. 3, c. 34, expire 5th July, 1832.....	6,200	0	0	—					
	Life Annuities per 48 Geo. 3, c. 142, and 10 Geo. 4, c. 24.	718,489	9	0	—					
	Life Annuities } English ..	23,142	1	4	—					
	payable at } the Exchequer. } Irish ....	35,476	18	7	7,038	0	9			
		26,205,275	3	9	1,168,880	8	3			
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax, under Schedules C. D. 1 and D 2, 53 Geo. 3, c. 123.....		10,847	9	1	—					
Management.....		273,296	8	9	—					
Total Annual Charge.....		26,489,419	1	8	1,168,880	8	3	27,658,299	10	0

(\*•• Shillings and Pence omitted.)

—	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE.		
				Due to the Public Creditor	Management.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain ..	724,066,688	1,450,231	722,616,456	26,216,122	273,296	26,489,419
Ireland .....	32,927,428	—	32,927,428	1,168,880	—	1,168,880
	756,994,116	* 1,450,231	755,543,884	27,385,003	273,296	27,658,299

	£.	s.	d.	DEFERRED ANNUITIES OUTSTANDING:	£.	s.	d.
* On account of Donations and Bequests ..	188,127	0	0	Deferred Life Annuities, per 10 Geo. 4, c. 24.....	1,609	11	0
Do. of Stock unclaimed 10 years or upwards .	226,122	13	6	Deferred Annuities for terms of years, per do. ....	20	0	0
Do. of Unclaimed Dividends .....	674,400	0	0				
	<hr/>			Payable to the Trustees of the Waterloo Fund, per 59 Geo. 3, c. 34.....	7,900	0	0
Do. of Land Tax, Schedules C. D 1; and D 2.....	1,088,649	13	6	— 1833 ..	6,300	0	0
				— 1834 ..	4,000	0	0
				— 1835 ..	9,000	0	0
				— 1836 ..	2,900	0	0
				— 1837 ..			
	<hr/>				<hr/>		
	361,582	1	10		31,729	11	0
	<hr/>				<hr/>		
	1,450,231	16	4		<hr/>		
	<hr/>				<hr/>		

UNFUNDED DEBT.

An Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1882.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills, (exclusive of £ 39,450 and £ 1,582,000 issued for paying off £ 4 per cents) ... ..	-	-	-	25,896,600	0	0	25,896,600	0	0
Exchequer Bills outstanding, of the Amount issued per Act 11 Geo. 4, c. 26, for paying off Proprietors of £ 4 per cent Annuities, on 5th January, 1832 ... ..	-	-	-	1,582,000	0	0	1,582,000	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament ... ..	3,668,262	13	5	27,478,600	0	0	27,478,600	0	0
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain ... ..	482,930	8	9½	-	-	-	482,930	8	9½
Total Unfunded Debt, and Demands outstanding ... ..	4,151,193	2	2½	27,478,600	0	0	31,629,793	2	2½
Ways and Means ... ..	5,622,596	5	0½	-	-	-	-	-	-
Surplus Ways and Means ... ..	1,471,333	2	9½	-	-	-	-	-	-
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund..	-	-	-	5,768,347	10	4½	5,768,347	10	4½

## TRADE OF THE UNITED KINGDOM.

AN Account of the VALUE of IMPORTS into, and of EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830.....	43,981,317 1 11	56,213,041 15 8	10,622,402 12 4	66,835,444 8 0	35,830,459 14 2
1831.....	46,245,241 6 6	61,140,864 15 10	8,550,437 15 9	69,691,303 11 7	38,251,502 10 3
1832.....	49,713,889 11 6	60,683,933 8 4	10,745,071 11 3	71,429,044 19 7	37,163,647 13 10

NAVIGATION OF THE UNITED KINGDOM.

New Vessels Built.—Number of Vessels, with the Amount of their Tonnage, that were built and registered in the several Ports of the British Empire, in the Years ending the 5th January 1830, 1831, and 1832, respectively.

	Year ending 5th Jan. 1830.		Year ending 5th Jan. 1831.		Year ending 5th Jan. 1832.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	718	76,635	730	75,532	742	83,852
Isles Guernsey, Jersey, and Man .....	16	1,000	20	1,879	18	1,855
British Plantations .....	416	39,237	367	32,719	243	22,069
<b>Total .....</b>	<b>1,150</b>	<b>116,872</b>	<b>1,117</b>	<b>110,130</b>	<b>1,003</b>	<b>107,776</b>

Note.—The Account rendered for the Plantations for the year ending 5th January 1831, is now corrected; and as several Returns from the Plantations are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of MEN and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 31st of December, in the Years 1829, 1830, and 1831, respectively.

	On 31st Dec. 1829.			On 31st Dec. 1830.			On 31st Dec. 1831.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom .....	18,618	2,168,356	130,809	18,675	2,168,916	130,000	18,942	2,190,457	132,200
Isles Guernsey, Jersey, & Man.	492	31,603	3,707	499	32,676	3,649	508	33,899	3,816
British Plantations .....	4,343	317,041	20,292	4,547	330,227	21,163	4,792	357,608	22,406
<b>Total .....</b>	<b>23,453</b>	<b>2,517,000</b>	<b>154,808</b>	<b>23,721</b>	<b>2,531,819</b>	<b>154,812</b>	<b>24,242</b>	<b>2,581,964</b>	<b>158,422</b>



NAVIGATION OF THE UNITED KINGDOM.—*continued.*

**VESSELS EMPLOYED IN THE FOREIGN TRADE.**—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1832.

YEARS ending 5th January.	SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.									
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1830	13,659	2,184,535	122,185	5,218	710,303	39,342	18,877	2,894,838	161,527	
1831	13,548	2,180,042	122,103	5,359	758,828	41,670	18,907	2,938,870	163,773	
1832	14,488	2,367,322	131,627	6,085	874,605	47,453	20,573	3,241,927	179,080	

YEARS ending 5th January.	SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, To Foreign Parts.									
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1830	12,636	2,063,179	119,262	5,094	730,250	38,527	17,730	2,793,429	157,789	
1831	12,747	2,102,147	122,025	5,158	758,368	39,769	17,905	2,860,515	161,794	
1832	13,791	2,300,731	132,004	5,927	896,051	47,009	19,718	3,196,782	179,031	

## LIST OF GENERAL ACTS

*Passed in the SECOND Session of the TENTH Parliament of the United Kingdom of Great Britain and Ireland—II. & III. Will. IV.*

## II. &amp; III. WILL. IV.

- I. AN Act for uniting the office of the surveyor general of his Majesty's works and public buildings with the office of the commissioners of his Majesty's woods, forests, and land revenues; and for other purposes relating to the land revenues.
- II. An Act to provide for the taking in and payment of outstanding lottery tickets.
- III. An Act to authorize the application of part of the land revenue of the Crown for the completion of the repair and improvement of Buckingham-palace.
- IV. An Act for more effectually preventing embezzlements by persons employed in the public service of his Majesty.
- V. An Act to provide for carrying on the business of the court of session in Scotland when interrupted by the death or necessary absence of any of the judges thereof.
- VI. An Act to apply certain sums to the service of the year one thousand eight hundred and thirty-two.
- VII. An Act for the relief of his Majesty's subjects in Ireland being protestants of the established church, and to repeal an Act passed in the parliament of Ireland in the thirty-third year of the reign of his Majesty king George the third, intituled An Act to remove some doubts respecting persons in office taking the sacramental test.
- VIII. An Act for continuing to his Majesty for one year certain duties on personal estates, offices, and pensions in England, for the service of the year one thousand eight hundred and thirty-two.
- IX. An Act to amend two Acts passed in the fifty-eighth and fifty-ninth years of the reign of his Majesty king George the third, for establishing fever hospitals and for preventing contagious diseases in Ireland.
- X. An Act for the prevention, as far as may be possible, of the disease called the cholera, or spasmodic or Indian cholera, in England.
- XI. An Act for the prevention, as far as may be possible, of the disease called the cholera, or spasmodic or Indian cholera, in Scotland.
- XII. An Act for raising the sum of twelve millions by exchequer bills, for the service of the year one thousand eight hundred and thirty-two.
- XIII. An Act to repeal so much of an Act, passed in the parliament of Ireland in the twenty-sixth year of the reign of his Majesty king George the third, as provides for the applotting and levying of presentments off the baronies of Saint Sepulchres and Donore in a manner different from that provided for the other baronies of the county of Dublin.
- XIV. An Act to authorize the payment out of the consolidated fund of a sum of money towards the erection of certain revenue buildings at Liverpool.
- XV. An Act to enable his Majesty's postmaster general to extend the accommodation by post, and to regulate the privilege of franking, in Ireland; and for other purposes relating to the post office.
- XVI. An Act to consolidate and amend the laws regulating the granting and issuing of permits for the removal of goods under the laws of excise.
- XVII. An Act to repeal an Act passed in the seventh year of his late Majesty king George the fourth, intituled An Act to amend the law of Ireland respecting the assignment and subletting of lands and tenements; and to substitute other provisions in lieu thereof.

- XVIII.** An Act for continuing an Act passed in the first year of his present Majesty, for punishing mutiny and desertion, and for the better payment of the army and their quarters.
- XIX.** An Act for continuing an Act passed in the first year of his present Majesty, for the regulation of his Majesty's royal marine forces while on shore.
- XX.** An Act to provide for the sale, manufacture, and consumption of tobacco grown in Ireland before the first day of January one thousand eight hundred and thirty-two.
- XXI.** An Act to repeal several Acts of the parliament of Ireland imposing restrictions upon the coal trade, and to regulate the same.
- XXII.** An Act for granting to his Majesty, until the tenth day of October one thousand eight hundred and thirty-two, certain duties on sugar imported into the United Kingdom, for the service of the year one thousand eight hundred and thirty-two.
- XXIII.** An Act for the regulation of his Majesty's royal marine forces while on shore,
- XXIV.** An Act to indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively until the twenty-fifth day of March one thousand eight hundred and thirty-three; to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors to make and file the same on or before the first day of Hilary term one thousand eight hundred and thirty-three; and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates
- XXV.** An Act to extend and render more effectual two Acts of the first and second and third years of his late Majesty king George the Fourth, respecting the estates thereby vested in the principal officers of the ordnance, and to facilitate the public business in the ordnance department.
- XXVI.** An Act to authorize the commissioners for auditing the public accounts of Great Britain to examine and audit accounts of the receipt and expenditure of colonial revenues.
- XXVII.** An Act for altering and amending an Act passed in the present session of parliament, for the prevention, as far as may be possible, of the disease called the cholera, or spasmodic or Indian cholera, in Scotland.
- XXVIII.** An Act for punishing mutiny and desertion; and for the better payment of the army and their quarters.
- XXIX.** An Act to reduce the allowance on spirits made from malt only in Scotland and Ireland.
- XXX.** An Act to apply the sum of three millions out of the consolidated fund to the service of the year one thousand eight hundred and thirty-two.
- XXXI.** An Act to regulate the baking trade in Ireland.
- XXXII.** An Act for the erection of a nisi prius court house in Dublin.
- XXXIII.** An Act to effectuate the service of process issuing from the courts of chancery and exchequer in England and Ireland respectively.
- XXXIV.** An Act for consolidating and amending the laws against offences relating to the coin.
- XXXV.** An Act to continue until the fifth of March one thousand eight hundred and thirty-three, and from thence to the end of the then next session of parliament, an Act of the fifty-fourth year of king George the third, for rendering the payment of creditors more equal and expeditious in Scotland.
- XXXVI.** An Act to allow the importation of lumber, and of fish and provisions, duty-free, into the islands of Barbadoes, Saint Vincent, and Saint Lucia; and to indemnify the governors and others of those islands for having permitted the importation of these articles duty-free.
- XXXVII.** An Act to amend an Act of the tenth year of his late Majesty king George the fourth, by extending the time within which pre-existing societies must conform to the provisions of that Act.
- XXXVIII.** An Act to continue for one year, and from thence until the end of the then next session of parliament, the Acts for the relief of insolvent debtors in Ireland.
- XXXIX.** An Act for uniformity of process in personal actions in his Majesty's courts of law at Westminster.
- XL.** An Act to amend the laws relating to the business of the civil departments of the navy, and to make other regulations for more effectually carry-

- ing on the duties of the said departments.
- XLI. An Act to facilitate the recovery of tithes in certain cases in Ireland, and for the relief of the clergy of the established church.
- XLII. An Act to authorize (in parishes inclosed under any Act of parliament) the letting of the poor allotments in small portions to industrious cottagers.
- XLIII. An Act to continue until the first day of March one thousand eight hundred and thirty-six an Act of the ninth year of his late Majesty, for the relief of insolvent debtors in India.
- XLIV. An Act to continue for three years, and to amend, the laws for the relief of insolvent debtors in England.
- XLV. An Act to amend the representation of the people in England and Wales.
- XLVI. An Act to enable his Majesty, his heirs and successors, to appoint a trustee of the British Museum.
- XLVII. An Act for holding the assizes for the county of Norfolk, and for the city of Norwich and county of the same city, twice in every year at Norwich.
- XLVIII. An Act to regulate the office of clerk of the crown in the court of king's bench in Ireland.
- XLIX. An Act to extend the provisions of an Act of the fifty-seventh year of his Majesty king George the third, for regulating the offices of clerks of the signet and privy seal.
- L. An Act to suspend until the end of the next session of parliament the making of lists and the ballots and enrolments for the militia of the united kingdom.
- LI. An Act to regulate the practice and the fees in the vice admiralty courts abroad, and to obviate doubts as to their jurisdiction.
- LII. An Act to promote the improvement of a district of mountain land in the counties of Limerick, Cork, and Kerry, in Ireland, by making new roads through the same, and to encourage the employment of the poor inhabitants thereof.
- LIII. An Act for consolidating and amending the laws relating to the payment of army prize money.
- LIV. An Act for making provision for the dispatch of the business now done by the court of exchequer in Scotland.
- LV. An Act to apply the sum of four millions out of the consolidated fund to the service of the year one thousand eight hundred and thirty-two.
- LVI. An Act to extend the jurisdiction of the commissioners acting in the execution of three Acts for paving and regulating the Regent's Park, and several streets and places in Westminster, to certain other streets and places in Westminster; and for other purposes.
- LVII. An Act to continue and extend the provisions of an Act passed in the fifty ninth year of his Majesty king George the third, for giving additional facilities in applications to courts of equity regarding the management of estates or funds belonging to charities; and for making certain provisions respecting estates or funds belonging to charities.
- LVIII. An Act to extend the provisions of an Act of the first year of the reign of his present Majesty, for altering and amending the law regarding commitments by courts of equity for contempts, and the taking bills *pro confesso*; and to explain certain parts thereof.
- LIX. An Act to transfer the management of certain annuities on lives from the receipt of his Majesty's exchequer to the management of the commissioners for the reduction of the national debt; and to amend an Act for enabling the said commissioners to grant life annuities and annuities for terms of years.
- LX. An Act for holding the assizes for the King's County in Ireland, twice in every year, at Tullamoore, instead of Philipstown.
- LXI. An Act to render more effectual an Act passed in the fifty ninth year of his late Majesty king George the third, intituled An Act to amend and render more effectual an Act passed in the last session of parliament, for building and promoting the building of additional churches in populous parishes.
- LXII. An Act for abolishing the punishment of death in certain cases, and substituting a lesser punishment in lieu thereof.
- LXIII. An Act to enable peers of Scotland to take and subscribe in Ireland the oaths required for qualifying them to vote in any election of the peers of Scotland.
- LXIV. An Act to settle and describe the divisions of counties, and the

- limits of cities and boroughs, in England and Wales, in so far as respects the election of members to serve in parliament.
- LXV. An Act to amend the representation of the people in Scotland.
- LXVI. An Act to provide for the conveyance of premises, the property of the crown, situate between the tower of London and London Bridge.
- LXVII. An Act to amend an Act of the seventh and eighth years of the reign of his late Majesty king George the fourth, relating to the union of parishes in Ireland.
- LXVIII. An Act for the more effectual prevention of trespasses upon property by persons in pursuit of game in that part of Great Britain called Scotland.
- LXIX. An Act to prevent the application of corporate property to the purposes of election of members to serve in parliament.
- LXX. An Act to continue for one year, and from thence to the end of the then next session of parliament, several Acts relating to the importation and keeping of arms and gunpowder in Ireland.
- LXXI. An Act for shortening the time of prescription in certain cases.
- LXXII. An Act to extend the provisions of an Act of the seventh and eighth years of the reign of his late Majesty king George the fourth, relative to remedies against the hundred.
- LXXIII. An Act to amend two Acts, of the seventh year of the reign of his late Majesty king George the fourth, and in the first and second years of the reign of his present Majesty, for the uniform valuation of lands and tenements in the several baronies, parishes, and other divisions of counties in Ireland.
- LXXIV. An Act to permit the distillation of spirits from mangel wortzel.
- LXXV. An Act for regulating schools of anatomy.
- LXXVI. An Act to defray the charge of the pay, clothing, and contingent and other expences of the disembodied militia in Great Britain and Ireland; and to grant allowances in certain cases to subaltern officers, adjutants, paymasters, quartermasters, surgeons, assistant surgeons, surgeons mates, and serjeant majors of the militia, until the first day of July one thousand eight hundred and thirty-three.
- LXXVII. An Act for the better regulation of the linen and hempen manufactures of Ireland.
- LXXVIII. An Act to continue certain Acts relating to the island of Newfoundland, and to provide for the appropriation of all duties which may hereafter be raised within the said island.
- LXXIX. An Act to continue, until the thirty-first of December one thousand eight hundred and thirty-four, an Act of the fifth year of his late Majesty relating to the fisheries in Newfoundland.
- LXXX. An Act to authorize the identifying of lands and other possessions of certain ecclesiastical and collegiate corporations.
- LXXXI. An Act to enable his Majesty to carry into effect a convention made between his said Majesty and the emperor of all the Russias.
- LXXXII. An Act to reduce the duties now payable in certain cases on carriages with less than four wheels.
- LXXXIII. An Act to authorize for one year the removal of prisoners from the several gaols in Ireland, in cases of epidemic diseases.
- LXXXIV. An Act to amend the laws relating to the customs.
- LXXXV. An Act to make a better provision for the superintendence of charitable institutions in Ireland, maintained in the whole or in part by grand jury presentments; and for the more effectual audit of the accounts of the same.
- LXXXVI. An Act to amend an Act of the forty-fifth year of his Majesty king George the Third, relating to post roads in Ireland.
- LXXXVII. An Act to regulate the office for registering deeds, conveyances, and wills in Ireland.
- LXXXVIII. An Act to amend the representation of the people of Ireland.
- LXXXIX. An Act to settle and describe the limits of cities, towns, and boroughs in Ireland, in so far as respects the election of members to serve in parliament.
- XC. An Act to authorize the commissioners of his Majesty's treasury to grant compensation to the inspectors and coal-meters of the city of Dublin, and to impose a rate upon coals imported into the port of Dublin, to provide a fund for such compensation.
- XCI. An Act to explain doubts that

have arisen respecting the stamp duty payable by freemen of corporations entitled by virtue of trade and residence in the corporate towns and counties of cities and towns in Ireland.

XCII. An Act for transferring the powers of the high court of delegates, both in ecclesiastical and maritime causes, to his Majesty in council.

XCIII. An Act for enforcing the process upon contempts in the courts ecclesiastical of England and Ireland.

XCIV. An Act for raising the sum of thirteen millions eight hundred and ninety six thousand six hundred pounds by exchequer bills, for the service of the year one thousand eight hundred and thirty-two.

XCV. An Act for granting to his Majesty, until the fifth day of April, one thousand eight hundred and thirty-three, certain duties on sugar imported into the United Kingdom, for the service of the year one thousand eight hundred and thirty-two.

XCVI. An Act for the better employment of labourers in agricultural parishes until the twenty-fifth day of March one thousand eight hundred and thirty-four.

XCVII. An Act to repeal several Acts for enabling the wives and families of soldiers, and the widows and families of deceased soldiers, to return to their homes.

XCVIII. An Act for regulating the protesting for non-payment of bills of exchange drawn payable at a place not being the place of the residence of the drawee or drawees of the same.

XCIX. An Act for transferring the powers and duties of the commissioners of public accounts in Ireland to the commissioners for auditing the public accounts of Great Britain.

C. An Act for shortening the time required in claims of Modus decimandi, or exemption from or discharge of tithes.

CI. An Act to authorize his Majesty to appoint a person to act as sheriff of Selkirkshire during the incapacity of the present sheriff.

CII. An Act to repeal the excise duties on flint glass, and to impose other duties in lieu thereof; and to amend the laws relating to glass.

CIII. An Act to provide for the examination and audit of the customs and excise revenues in Scotland.

CIV. An Act to regulate the period of

rendering the public accounts and making up the general imprest certificates.

CV. An Act for the better support of the dignity of the speaker of the house of commons; and for disabling the speaker of the house of commons for the time being from holding any office or place of profit, during pleasure, under the crown.

CVI. An Act to enable the officers in his Majesty's army, and their representatives, and the widows of officers, and persons on the compassionate list, and also civil officers on retired or superannuation allowances payable by the paymaster-general of his Majesty's forces, to draw for and receive their half-pay and allowances.

CVII. An Act for regulating for three years, and from thence until the end of the then next session of parliament, the care and treatment of insane persons in England.

CVIII. An Act for amending the laws in Ireland relative to the appointment of special constables, and for the better preservation of the peace.

CIX. An Act for settling and securing annuities on the right honourable Charles Manners Sutton and on his next heir male, in consideration of the eminent services of the said right honourable Charles Manners Sutton.

CX. An Act for the better regulation of the duties to be performed by the officers on the plea or common law side of the court of exchequer.

CXI. An Act to abolish certain sinecure offices connected with the court of Chancery, and to make provision for the lord high chancellor on his retirement from office.

CXII. An Act to authorize the hereditary land revenues of the crown in Scotland being placed under the management of the commissioners of the land revenues.

CXIII. An Act to continue, until the fifth day of April one thousand eight hundred and thirty-four, compositions for the assessed taxes, and to grant relief in certain cases.

CXIV. An Act to amend the laws relating to bankrupts.

CXV. An Act for the better securing the charitable donations and bequests of his Majesty's subjects in Great Britain professing the Roman Catholic religion.

CXVI. An Act to provide for the sala-



ties of certain high and judicial officers, and of payments heretofore made out of the civil-list revenues.

- CXVII. An Act to amend the law relating to the appointment of justices of the peace, and of juries, in the East Indies.
- CXVIII. An Act to restrain for five years, in certain cases, party processions in Ireland.
- CXIX. An Act to amend three Acts passed respectively in the fourth, fifth, and in the seventh and eighth years of the reign of his late Majesty king George the Fourth, providing for the establishing of compositions for tithes in Ireland; and to make such compositions permanent.
- CXX. An Act to repeal the duties under the management of the commissioners of stamps on stage carriages and on horses let for hire in Great Britain, and to grant other duties in lieu thereof; and also to consolidate and amend the laws relating thereto.
- CXXI. An Act to enable his Majesty to carry into effect a convention made between his Majesty and the king of the French, and emperor of all the Russias, and the king of Bavaria.
- CXXII. An Act for making provision for the lord high chancellor of England in lieu of fees heretofore received by him.
- CXXIII. An Act for abolishing the punishment of death in certain cases of forgery.
- CXXIV. An Act to explain certain provisions in local Acts of parliament relating to double toll on turnpike-roads.
- CXXV. An Act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes and in the manner therein mentioned; and for giving relief to Trinidad, British Guiana, and St. Lucie.
- CXXVI. An Act to apply a sum out of the consolidated fund, and the surplus of ways and means to the service of the year one thousand eight hundred and thirty-two; and to appropriate the supplies granted in this session of parliament.
- CXXVII. An Act for appointing additional commissioners to put in execution the Acts for granting an aid to his Majesty by a land-tax and continuing the duties on personal estates, offices, and pensions.

## PUBLIC ACTS,

*Of a Local and Personal Nature,  
to be noticed by the Courts.*

- i. An Act for enabling the Liverpool Marine Assurance Company to sue and be sued in the name of the chairman for the time being, or of any one of the directors of the said company.
- ii. An Act to enlarge the term and amend the powers and provisions of an Act passed in the seventh and eighth years of his late Majesty king George the Fourth; for making a navigable communication between the city of Norwich and the sea, at or near Lowestoft in the county of Suffolk.
- iii. An Act for maintaining and improving the turnpike roads leading from Ashford to Buxton, and from Tideswell to Blackwell, and from Edensor to Ashford, all in the county of Derby.
- iv. An Act for more effectually repairing and improving the road from Hardings-ton, to Old Stratford in the county of Northampton.
- v. An Act for more effectually repairing and otherwise improving the road from Ipswich to Stratford St. Mary, in the county of Suffolk.
- vi. An Act for more effectually maintaining and improving the roads from Birmingham to Wednesbury and to Great Bridge, and from thence to the portway adjoining the Bilston and Wednesbury turnpike road, and to Nether Trindle near Dudley; and from Trowse Lane in the parish of Wednesbury, to Darlaston, in the counties of Warwick, Stafford, and Worcester; and for making new branches of road communicating therewith.
- vii. An Act for establishing a floating bridge over the river Tamar, at or near Saltash Ferry, in the county of Cornwall.
- viii. An Act for establishing a market in the parish of Walton-on-the-Hill in the county palatine of Lancaster.
- ix. An Act to continue the term and to alter and amend the powers of an Act passed in the fifty-first year of the reign of his Majesty king George the Third, for the improvement of the harbour of Sutton Pool in the port of Plymouth, in the county of Devon.
- x. An Act for better assessing and collecting the poor and other parochial rates, and for the better maintenance

and employment of the poor of the parish of St. Margaret, in the borough and county of Leicester.

xi. An Act to amend an Act for lighting the town and burgh of Paisley, and suburbs and places adjacent, with gas; and to enable the company thereby incorporated to increase their capital stock; and for other purposes relating thereto.

xii. An Act for lighting with gas the town of St. Helena, the hamlet of Harclahaw-cum-windle, and the several townships of Windle, Parr, Eccleston, and Sutton, all in the parish of Prescott, in the county palatine of Lancaster.

xiii. An Act to alter and enlarge the powers of an Act of the fifth of his Majesty King George the Third, for lighting and otherwise improving the streets and other public places in the parish of St. Luke, in the county of Middlesex, and for placing under the care of the trustees certain roads in the parish which were lately turnpike roads.

xiv. An Act for diverting, altering, repairing, maintaining, and improving the several turnpike roads within the district of Newport, in the county of Monmouth.

xv. An Act for repairing and otherwise improving the road from Rough Ferry to South Newbold House, and from Rough to Welton, in the east riding of the county of York.

xvi. An Act for more effectually improving the road from Rufford to Standish, in the county of Cheshire, and from Rufford to the road leading to Seem in the county of Cheshire, and from Seem to Seem, in the county of Cheshire, to the road in Ayr in the county of Northampton, and for making a new branch of road to communicate with the same.

xvii. An Act for making and maintaining a road from New Windsor in the county of Berks, to the village of Twickenham, in the parish of St. James, in the same county, and county of Middlesex.

xviii. An Act for repairing the road leading out of the parish of New Northington, in the county of Berks, to the parish of St. James, in the county of Berks, and other places in the county of Berks.

xix. An Act for improving and maintaining the road from the parish of St. James, in the county of Berks, to the parish of St. James, in the county of Berks, and other places in the county of Berks.

with the road at or near to the sixth mile stone from Rochdale in the county of Lancaster.

xx. An Act for more effectually repairing and otherwise improving the road from Doncaster to Bawtry in the county of York.

xxi. An Act for more effectually repairing the road from Downham Market to Barton, and to a place called the Devil's Ditch, all in the county of Norfolk.

xxii. An Act for more effectually repairing the road leading from Borough-bridge in the county of York, to the city of Durham, and for making and maintaining certain deviations therein.

xxiii. An Act to amend several Acts relating to London Bridge and the approaches thereto.

xxiv. An Act for making and maintaining a reservoir upon Bradshaw Brook in the townships of Turton and Entwistle in the parish of Bolton-le-Moors in the county of Lancaster, for providing a more regular supply of water in Bradshaw Brook aforesaid, and in certain rivers connected therewith.

xxv. An Act to alter, amend, enlarge, and extend the powers of several Acts passed in the ninth and tenth years of the reign of his late Majesty King George the Fourth, for making and maintaining the Charente railway.

xxvi. An Act to equalise the ecclesiastical burthens of the parish of St. Mary Islington in the county of Middlesex; for partially altering the application of the rents and profits of the Stone-Fields estate within the said parish; for letting the pews in the parish church of St. Mary Islington, and the chapel of ease therein; and for other purposes connected therewith.

xxvii. An Act for better supplying with water the borough of Preston, and part of the township of Fishwick adjoining thereto, in the parish of Preston, in the county palatine of Lancaster.

xxviii. An Act for more effectually repairing and improving the roads leading from Barton Bridge into the Manchester and Altrincham turnpike road, in the county of Lancaster.

xxix. An Act for more effectually repairing and improving the road from the town of Chesham to the town of Watlington, and a branch of road from

to the  
by land-  
quarry,

towards and unto the village of Great Broughton in the county of Cumberland.

xxx. An Act for more effectually repairing and improving the road from Odiham in the county of Southampton, to Farnham in the county of Surrey.

xxx. An Act for more effectually repairing the road leading from Berwick-upon-Tweed, by Ayton Bridge and Ayton, to Dunglas Bridge, and the road from Billie Causeway and Preston Bridge, to join the said road at or near Houndwood House and Bankhouse respectively, in the county of Berwick.

xxxii. An Act for more effectually repairing and improving the road leading from the Alfreton turnpike road near Mansfield, through Tibshelf and Morton, to the Nottingham turnpike road near Tansley, and other roads connected therewith, in the counties of Nottingham and Derby.

xxxiii. An Act for repairing the road from Birmingham (through Elmdon) to Stonebridge in the county of Warwick.

xxxiv. An Act for more effectually repairing the road from the Sessions House in the town of Buckingham, to Hanwell in the county of Oxford.

xxxv. An Act for making and maintaining a railway from the Cavehill to the harbour of Belfast, in the county of Antrim.

xxxvi. An Act for widening and improving a part of London Road in the parish of Manchester and county of Lancaster, and also for effecting improvements in the streets and other places within the town of Manchester.

xxxvii. An Act for lighting with gas the city or borough of Wells in the county of Somerset, the liberty of Saint Andrew, and suburbs of the said city or borough.

xxxviii. An Act to enable the British Commercial Insurance Company to sue and be sued in the name of one of the directors or of the Secretary for the time being of the Company.

xxxix. An Act for better governing and regulating an institution in the city of Bristol called and known by the name of "The Bristol Asylum or School of Industry for the Blind."

xl. An Act for providing a town-hall and market-place, and regulating the markets, in the town of Upton-upon-Severn in the county of Worcester.

xli. An Act for extending the time for completing the additional bridge over the river Dee in the city of Chester.

xlii. An Act to alter and amend an Act passed in the eleventh year of the reign of his late Majesty king George the Fourth, for rebuilding the bridges over the rivers Spey and Findhorn, for making accesses thereto, and for making and maintaining certain new roads in the county of Elgin, in so far as the same regards the bridge over the river Spey near Fochabers in the said county of Elgin,

xliii. An Act to explain and amend two Acts, of the fifty-first year of his late Majesty king George the Third and the fifth year of his late Majesty king George the Fourth, relative to the Bridgwater and Taunton canal navigation.

xliv. An Act for constructing and maintaining a pier or harbour at Largs in the county of Ayr.

xlv. An Act for better paving, lighting, watching, and otherwise improving the town of St. Leonard in the county of Sussex.

xlvi. An Act for enabling the Liverpool and Manchester Railway Company to make a branch railway, and for amending and enlarging the powers and provisions of the several Acts relating to such railway.

xlvii. An Act for making and maintaining a railway from Wadebridge in the parish of Saint Breoke to Wenford Bridge, Saint Breward, with a collateral branch to the borough of Bodmin certain other branches, all in the county of Cornwall.

xlviii. An Act for making and maintaining a railway or tram-road from a certain quay at Portmadock, in the parish of Ynys-cynhaiarn in the county of Carnarvon, to certain slate quarries called Rhiw-bryfder and Dyffws, in the parish of Festiniog in the county of Merioneth.

xlix. An Act to alter, amend, and enlarge the powers of several Acts for making and maintaining the Saint Katharine Docks in the county of Middlesex.

l. An Act to alter and enlarge the powers of two Acts, passed in the fourth and sixth years of the reign of his Majesty king George the Third, for draining and improving certain low grounds and cars in Holderness in the east riding of the county of York.

li. An Act for maintaining several roads

- leading to and from the town of Tamworth in the counties of Stafford and Warwick.
- lii. An Act for making and maintaining a turnpike road from Burnt House in the parish of Lymptone in the county of Devon, to Exmouth in the same county.
- liii. An Act for more effectually repairing the road from Little Yarmouth to Blythburgh, and from Brampton to Halesworth, in the county of Suffolk.
- liv. An Act for better maintaining the road leading from Robeston Wathan to Saint Clears, and other roads, in the counties of Pembroke and Carmarthen, and for making several branches from such roads.
- lv. An Act for more effectually repairing and improving the road from New-castle-under-Lyme in the county of Stafford to Drayton in Hales, otherwise Market Drayton in the county of Salop, and for making new branches and deviations of roads to communicate therewith.
- lvi. An Act for more effectually repairing, amending, and maintaining certain roads and bridges in the county of Berwick.
- lvii. An Act for more effectually repairing and widening the road from the turnpike road at Vinehall to Cripp's Corner, and from thence to Staplecross, and from Cripp's Corner to Taylor's Corner, in the county of Sussex, and a piece of road communicating therewith.
- lviii. An Act for more effectually repairing and maintaining the turnpike road from or near a place called the Five Oaks, in the parish of Billingshurst, to join the Horsham and Guildford turnpike road on Broadbridge Heath in the county of Sussex.
- lix. An Act for more effectually repairing the road leading from Shankhill in the county of Kilkenny to the city of Waterford.
- lx. An Act for more effectually repairing and improving the road from Conway to Pwllheli, and other roads therein mentioned, in the counties of Carnarvon and Denbigh.
- lxi. An Act for more effectually repairing and improving the road from Bishop Wearmouth to Norton in the county of Durham.
- lxii. An Act for more effectually repairing the road from Ightham in the county of Kent, to the turnpike road leading from London to Maidstone in the said county.
- lxiii. An Act for more effectually repairing the road from the city of Norwich to Fakenham in the county of Norfolk.
- lxiv. An Act for making a turnpike road from the parish of Cann Saint Rumbold, near Shaftesbury in the county of Dorset, through Cranbourne Chase and the New Forest, to the Bell Inn at Brook in the parish of Bramshaw in the county of Southampton, together with two branches therefrom.
- lxv. An Act to amend and render more effectual certain Acts of the twenty-third year of the reign of his Majesty king George the Second, and the nineteenth year of his Majesty king George the Third, for the more speedy recovery of small debts within the Tower Hamlets.
- lxvi. An Act for the better regulation and improvement of the united parishes of Saint Andrew Holborn above the bars and St. George the Martyr, in the county of Middlesex.
- lxvii. An Act for making and maintaining wet docks in the port of Hartlepool, and a railway from the said docks into the township of Moorsley, with certain branches therefrom, all in the county of Durham.
- lxviii. An Act for amending and rendering more effectual an Act of king George the Third, for improving the pier and port of Hartlepool in the county of Durham.
- lxix. An Act to enable the company of proprietors of the Manchester, Bolton, and Bury canal navigation and railway to alter some parts of the said canal navigation, to alter and amend the line of the said railway, to make further collateral branches thereto; and for amending the powers and provisions of the Act relating to the said canal and railway.
- lxx. An Act for enclosing, draining, and embanking lands within the parishes of Ruskington and Dorrington, and the township or hamlet of North Kyme, in the parish of South Kyme, all in the county of Lincoln.
- lxxi. An Act for more effectually repairing the first district of the road from Coleshill, through the city of Lichfield and the town of Stone, to the end of the county of Stafford in the road leading towards Chester, and several other roads in the counties of

- Warwick and Stafford and city and county of the city of Lichfield.
- lxxii. An Act for repairing and improving the road from Ternhill to Newport in the county of Salop.
- lxxiii. An Act for more effectually repairing, improving, and maintaining the road from Bawtry to Selby in the west riding of the county of York.
- lxxiv. An Act for more effectually repairing and improving certain roads leading to and through the town of Goudhurst in the county of Kent.
- lxxv. An Act for better maintaining certain roads within the county of Salop called "The Shawbury district of roads."
- lxxvi. An Act for repairing, maintaining, and improving the road from Stevenage in the county of Hertford, to Biggleswade in the county of Bedford, and a branch therefrom to Arsley in the said county of Bedford.
- lxxvii. An Act for more effectually repairing and maintaining the road from Lanfabon to Pontymoill, and other roads and bridges therein mentioned, in the counties of Glamorgan and Monmouth.
- lxxviii. An Act for erecting and maintaining within the burgh of Haddington a new court house, record rooms, and other offices, for the county of Haddington.
- lxxix. An Act for enlarging the church of Saint Mary in the chapelry of Birkenhead in the county palatine of Chester.
- lxxx. An Act for establishing as the parish church the newly erected church in the parish of Saint Bartholomew adjoining the city of Chichester.
- lxxxi. An Act to enable the Standard Life Assurance Company to sue and be sued in the name of their manager; for confirming the rules and regulations of the said company; and for other purposes relating thereto.
- lxxxii. An Act for more effectually making, maintaining, and repairing certain roads, with the necessary bridges thereon, in the counties of Perth, Stirling, and Forfar.
- lxxxiii. An Act for more effectually repairing several roads leading from the Bell in Stoke Ferry in the county of Norfolk.
- lxxxiv. An Act for maintaining and improving certain roads within the counties of Worcester and Stafford called "The Dudley and Brettell Lane district of roads," and for making several branches from such roads.
- lxxxv. An Act for improving certain roads within the counties of Worcester, Salop, and Stafford, called "The Dudley and New Inn district of roads."
- lxxxvi. An Act for making and maintaining a turnpike road from the town of Doncaster to the town and port of Selby in the west riding of the county of York.
- lxxxvii. An Act for altering and amending certain Acts for regulating the police of the city of Edinburgh and the adjoining districts; and for other purposes relating thereto.
- lxxxviii. An Act for more easily providing compensation for the damage and injury committed within the city of Bristol and county of the same city during the late riots and disturbances therein.
- lxxxix. An Act for repairing, lighting, and watching the district of the united parishes of Saint James and Saint Paul in the county of Gloucester; and for the care of the poor thereof.
- xc. An Act for improving and regulating the township of Chorlton-upon-Medlock in the county of Lancaster.
- xci. An Act for paving, lighting, watching, cleansing, and improving the town and port of Hastings in the county of Sussex, and for establishing and regulating markets therein, and supplying the inhabitants thereof with water and for other purposes.
- xcii. An Act to accelerate the raising by the Newcastle upon Tyne and Carlisle Railway Company of a certain sum for the more speedy prosecution of the undertaking.
- xciii. An Act for making and maintaining a railway from the basin of the Exeter canal in the parish of St. Thomas the Apostle in the county of Devon to the Four Mills in the parish of Crediton in the said county.
- xciv. An Act for the more effectual drainage of the lands within Blankney Fen, Blankney Dales, Linwood Fen, Linwood Dales, and Martin Fen, and Martin Dales, in the county of Lincoln.
- xcv. An Act for the better drainage of certain lands in the parishes of Spalding and Pinchbeck in the county of Lincoln, the waters from which are discharged by the Blue Gowt drain.



- xv. An Act for repealing parts of and amending and enlarging the powers of other parts of an Act for embanking and draining certain fens and low lands in the parishes of Nocton and Potterhanworth in the county of Lincoln, and in the parish of Branston in the county of the city of Lincoln.
- xvii. An Act for more effectually repairing and amending the Marlborough district of the road from Swindon to Marlborough, and from Marlborough to Everley, in the county of Wilts, and also the branch road from the same to the present turnpike road from Andover to Devizes; and for making a road from the said branch road at Collingbourn Ducis to join the present turnpike road from Andover to Salisbury in the said county.
- xviii. An Act for repairing and improving the road from the great bridge in the borough of Warwick, through Southam and Daventry, to the town of Northampton.
- xix. An Act for repairing and improving the roads from Prestwich to Bury and Ratcliffe in the county palatine of Lancaster.
- c. An Act for amending and enlarging the powers and renewing the term granted by certain Acts passed for improving the communication between the city of Glasgow and the city of Carlisle.
- ci. An Act for amending and continuing the Acts relating to the road from Elvan Foot in the county of Lanark to Beattock Bridge in the county of Dumfries.
- cii. An Act for better maintaining certain roads within the county of Carmarthen called, "The Three Commotts district of roads," and for making several branches, diversions, and extensions from such roads.
- ciii. An Act for uniting the funds of the North and South Charitable Infirmaries of the city of Cork, and for establishing in lieu of such Infirmaries, one general hospital for the said city.
- civ. An Act for erecting and maintaining a new court house and public offices for the county of Inverness.
- cv. An Act for better regulating the pilotage of the port of Kingston-upon-Hull and of the river Humber, and for other purposes relating thereto.
- cvi. An Act for better paving, lighting, watching, cleansing, and otherwise improving the city of Exeter and county of the same city.
- cvii. An Act to make more effectual provisions for lighting, cleansing, and watching the city of Londonderry, and to amend several Acts relating to the said city.
- cviii. An Act for discharging the inhabitants of the township of Ousecum-Gawthorpe in the parish of Dewsbury in the county of York from the custom of grinding corn, grain, and malt at certain water corn-mills in the townships of Wakefield and Horbury, and in the parish of Sandal in the said county; and for making compensation to the proprietor of the said mills.
- cix. An Act for maintaining certain roads in the neighbourhood of the towns of Beverly, of Kingston-upon-Hull, and of North Cave, called "The Beverly, Hessle, and North Cave turnpike roads."
- cx. An Act for establishing a general cemetery for the interment of the dead in the neighbourhood of the metropolis.
- cx. An Act for consolidating the several shares of the proprietors of the Gloucester and Berkley canal company, and for converting the interests of the several parties holding debentures, annuities, and optional notes into shares; and for altering and enlarging the powers of the several Acts passed for making and maintaining the said canal.
- cxii. An Act for providing for the discharge of a claim in respect of monies advanced by the late James Hodges esq. on security of the lands of the late Zemindar of Nozeed and Mustaphanagur, in the district of Fort St. George in the East Indies, now under the government of the Hon. the East India Company.
- cxiii. An Act to amend and enlarge the powers of an Act for establishing Portman Market within the county of Middlesex.



## PRICES OF STOCKS in each Month in 1832,

*Highest and Lowest.*

	Bank Stock.	3 per Ct. Reduced	3 per Ct. Consols.	3½ per Cts. 1818	3½ per Cts. red.	New 3½ per Cts.	4 per Cts. 1826.	Long Annuity.	India Stock.	Old S. S. Annuity.	Ex. Bills. £.1000.
January .. {	192 196	87½ 81½	81½ 83½	89½ 90½	89½ 90½	91½ 88½	99½ 100	16½ 16½	196 193	81 80½	7 p.m. 13 p.m.
February.. {	193½ 196	82½ 83½	82½ 82½	90½ 90½	90½ 90½	90½ 89½	99½ 100½	16½ 16½	193 195		12 p.m. 7 p.m.
March .... {	195½	83½ 83	82½ 88½	90½ 91½	90½	89½ 91½	100½	16½	195½		6 p.m. 11 p.m.
April .... {	193 202½	82½ 84½	83½ 85½	91½ 90½	90	90½ 93½	99½ 101½	16½ 16½	201 205½	80½ 82½	10 p.m. 16 p.m.
May ..... {	208 200	82 84½	83½ 95½	91½ 92	89½ 92½	90½ 93½	99½ 100½	16½ 16½	203½ 210	82½ 80½	16 p.m. 5 p.m.
June..... {	201½ 199	84½ 83½		90½ 91½	91½ 90½		100½ 101½	16½ 16½	207½ 207	82½ 81½	12 p.m. 6 p.m.
July..... {	199 200½	85 83½	83½ 82½	91 91½	90½ 91½	91 90	100½ 101½	16½ 16½	200½ 199½	81½ 82½	9 p.m. 16 p.m.
August..... {	202½ 185	83½ 84½	83½ 84½	91½ 92½	91½ 92½	90½ 92	101½ 102½	16½ 17	206½ 199½	82½ 82½	17 p.m. 11 p.m.
September. {	192 189	85½ 84½	85 83½	92½ 93½	93 93½	93 91½	102½ 102½	17½ 17	203½ 204½	83½ 83½	13 p.m. 18 p.m.
October .. {	187 189½	83½ 82½	84½ 83½	90½ 90½	91 90½	92½ 91½	100½ 101	16½ 16½	203½ 200	82 81½	17 p.m. 32 p.m.
November.. {	189½ 185½	83½ 82	84½ 83½	90½ 89½	90½ 89½	92½ 90½	101 99½	16½ 16½	203 201½	81 80½	31 p.m. 20 p.m.
December.. {	186 193	82 85	82½ 82½	89½ 91½	89½ 93	90½ 91½	102½ 99½	16½ 16½	202	80½ 81½	31 p.m. 7 p.m.

### AVERAGE PRICES OF BRITISH CORN. FROM THE RETURNS.

	Wheat.		Barley.		Oats.		Rye.		Beans.		Peas.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
January 20 .....	59	5	35	8	21	4	36	4	35	7	37	3
February 23 ...	59	7	35	7	21	7	36	1	37	9	37	6
March 28 .....	59	0	34	4	21	2	34	10	34	7	36	5
April 18 .....	59	5	34	5	21	2	34	5	34	5	35	0
May 20 .....	61	5	34	3	21	3	33	11	34	9	34	3
June 15 .....	61	11	33	7	21	5	35	0	35	5	34	8
July 25 .....	62	8	33	2	21	4	35	4	35	8	35	3
August 29 .....	63	5	33	1	21	2	36	4	36	5	38	0
September 29...	61	7	33	1	20	6	35	10	36	7	37	9
October 17 .....	57	5	33	5	19	6	34	6	36	8	39	3
November 28 ...	52	5	29	11	18	8	33	0	34	10	38	5
December 26 ...	53	7	30	11	18	10	33	2	34	6	38	7

### AVERAGE PRICES OF HAY & LOAD.

January.	February.	March.	April.	May.	June.
3 10 0	3 10 0	2 15 0	2 18 0	3 10 0	4 5 0
to	to	to	to	to	to
4 0 0	4 0 0	4 4 0	4 15 0	4 15 0	4 15 0
July.	August.	September.	October.	November.	December.
3 0 0	2 5 0	3 0 0	2 15 0	3 0 0	3 3 0
to	to	to	to	to	t
4 10 0	4 4 0	4 15 0	3 15 0	4 0 0	3 15 0

### AVERAGE PRICES OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. in Smithfield Market, in 1882.

	Beef.				Mutton.				Veal.				Pork.				Lamb.			
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan ...	3	0	to	4	4	4	0	to	5	0	4	6	to	5	0	4	0	to	0	0
Feb....	3	4	to	4	2	4	6	to	5	0	4	0	to	5	6	5	4	to	5	8
March	3	4	to	4	0	4	4	to	4	10	4	6	to	5	4	5	2	to	5	2
April	3	0	to	3	10	4	0	to	4	8	4	6	to	5	2	4	4	to	5	4
May...	3	2	to	3	10	3	10	to	4	10	3	8	to	4	10	4	0	to	5	0
June...	3	4	to	4	2	4	4	to	5	0	4	4	to	5	0	4	4	to	5	2
July...	2	10	to	4	0	3	0	to	4	8	4	0	to	4	8	4	0	to	4	10
Aug...	2	4	to	4	0	2	8	to	4	6	4	6	to	4	8	4	0	to	4	6
Sept...	3	6	to	3	8	3	0	to	4	6	3	8	to	4	0	4	6	to	5	6
Oct....	3	0	to	4	0	4	0	to	4	8	4	0	to	4	8	4	4	to	5	2
Nov.	3	6	to	3	8	3	0	to	4	6	3	8	to	4	0	4	6	to	5	6
Dec.	2	10	to	4	8	3	0	to	5	0	3	4	to	5	2	5	0	to	5	6

# APPENDIX TO CHRONICLE. 253

## BILLS OF MORTALITY, from December 14, 1831, to December 11, 1832.

Christened { Males.. 13,504 } 26,974 || Buried { Males.. 14,280 } 28,606  
 { Females 13,470 } { Females 14,326 }

Increase in the Burials reported this year 3269.

### WHEREOF HAVE DIED,

Stillborn .....	912	Fifty and sixty .....	3041
Under two years of age .....	5443	Sixty and seventy .....	2949
Between two and five .....	2678	Seventy and eighty .....	2194
Five and ten .....	1270	Eighty and ninety .....	848
Ten and twenty .....	1113	Ninety and a hundred .....	105
Twenty and thirty .....	2215	One hundred .....	1
Thirty and forty .....	2749	One hundred and three .....	1
Forty and fifty .....	3086	One hundred and eight .....	1

Increase in the Burials reported this Year, 3269.

## TABLE of the Number of BANKRUPTS & DECLARATIONS of INSOLVENCY.

	Bankrupts.	Declarations of Insolvency.
January .....	129	22
February .....	136	16
March .....	131	10
April.....	99	15
May .....	160	6
June .....	125	17
July .....	104	12
August .....	85	6
September .....	61	9
October.....	101	18
November.....	128	28
December.....	106	6
	1365	157

## METEOROLOGICAL TABLE FOR 1832.

Month.	Barometer.		Thermometer.		Pluvia- meter.	Prevailing Winds.
	Highest.	Lowest.	Highest.	Lowest.	Inches.	
January	30.446	29.131	53	30	3.200	S. E.
February	30.528	29.131	53	34	2.310	N. E.
March ..	30.292	29.334	54	32	4.470	N. E.
April ..	30.398	29.186	63	36	2.905	N. E.
May....	30.419	29.172	68	40	4.225	N. E.
June ...	30.292	29.360	73	45	2.520	N. W.
July....	30.407	29.654	71	50	2.105	N. E.
August..	30.195	29.254	71	48	5.815	W.
Septem.	30.456	29.610	65	47	0.985	N. W.
October.	30.322	29.110	64	44	3.625	S. W.
Novem.	30.434	29.828	58	38	6.890	N. W.
Decem.	30.542	29.545	56	37	6.095	W.
	30.542	29.110	73	30	45.145	N. E.

## UNIVERSITY OF OXFORD.

EXAMINATIONS. TERM—PASCHAL, 1832.

*In Literis Humanioribus.*

## CLASSIS I.

John S. Brewer, *Queen's*.  
 Francis H. Doyle, *Christ Church*.  
 Frederick Rogers, *Oriel*.

## CLASSIS II.

Charles W. Borrett, *Magdalen*.  
 Reginald E. Coplestone, *Exeter*.  
 William W. Fowler, *Pembroke*.  
 Thomas James, *Christ Church*.  
 John Kettle, *Lincoln*.  
 Charles E. Lefroy, *Christ Church*.  
 Alfred Menzies, *Trinity*.  
 William Richardson, *Wadham*.  
 William W. Stoddart, *St. John's*.  
 Edward P. Vaughan, *Balliol*.

## CLASSIS III.

Thomas Batchelor, *Magdalen Hall*.  
 Henry Blackall, *Christ Church*.  
 Thomas Calvert, *Queen's*.  
 Thomas Dond, *do*.  
 Patrick D. Hadow, *Balliol*.  
 George D. Johnson, *St. John's*.  
 Henry Jones, *Jesus*.  
 Charles M. A. Martelli, *Trinity*.

Richard Prichard, *Jesus*.  
 John Rowlandson, *Queen's*.  
 Joseph Salt, *Balliol*.  
 Thomas H. Sotheby, *New Inn Hall*.  
 Hugh E. Strickland, *Oriel*.  
 George Thistlethwayte, *Brasen-nose*.  
 William Wayman, *Exeter*.  
 Francis B. Wright, *Queen's*.  
 Charles P. Wyatt, *Christ Church*.  
 Henry T. Young, *Balliol*.

## CLASSIS IV.

Frederick Anson, *Christ Church*.  
 Godfrey T. Baker, *do*.  
 Hon. Charles B. Bernard, *Balliol*.  
 James R. Burgess, *Oriel*.  
 James Burnett, *Edmund Hall*.  
 Daniel Debondrey, *Magdalen Hall*.  
 James F. Ferrier, *Magdalen*.  
 John Kent, *Wadham*.  
 Henry N. Loring, *Exeter*.  
 Joseph Martin, *Jesus*.  
 George B. Rogers, *Pembroke*.  
 Edward M. Stanley, *Worcester*.  
 Alex. John Sutherland, *Christ Church*.  
 Arthur W. Tooke, *St. Alban Hall*.  
 Bowyer Vaux, *Trinity*.

*In Disciplinis Mathematicis et Physicis.*

## CLASSIS I.

Henry Jones, *Jesus*.  
 Charles Lefroy, *Christ Church*.  
 Frederick Rogers, *Oriel*.  
 Edward P. Vaughan, *Balliol*.

## CLASSIS II.

Alfred Menzies, *Trinity*.

## CLASSIS IV.

Godfrey T. Baker, *Christ Church*.  
 Henry B. Crommelin, *Magdalen Hall*.  
 Daniel Deboudry, *do*.  
 Henry N. Loring, *Exeter*.

TERM—MICHAELMAS, 1832. *In Literis Humanioribus.*

## CLASSIS I.

Thomas W. Allies, *Wadham*.  
 Lord Boscawen, *Christ Church*.  
 Hon. James Bruce, *do*.  
 Stephen C. Denison, *Balliol*.  
 John D. Giles, *Corpus*.  
 William H. Lushington, *Oriel*.  
 Charles Marriott, *Balliol*.  
 George B. Maule, *Christ Church*.  
 Nutcombe Oxnam, *Exeter*.  
 Henry Wall, *St. Alban Hall*.

## CLASSIS II.

James W. M. Berry, *Brasen-nose*.  
 George Cardew, *Exeter*.  
 William Laxton, *Trinity*.  
 Alfred J. P. Lutwyche, *Queen's*.  
 Richard G. Macmullen, *Corpus*.  
 George H. Somerset, *St. Mary Hall*.  
 William Spoones, *Oriel*.  
 Charles Thornton, *Christ Church*.  
 Samuel H. Walker, *Balliol*.  
 Ellis Were, *Queen's*.

## CLASSIS III.

Ralph Barnes, *Christ Church*.  
 Hen. F. Cheshire, *Wadham*.  
 George T. Clare, *St. John's*.  
 William E. Elwell, *University*.  
 William Froude, *Oriel*.  
 William Harrison, *Brasen-nose*.  
 Edmund B. Larken, *Trinity*.  
 James W. Macdonald, *Christ Church*.  
 John B. Monck, *Brasen-nose*.  
 Arthur B. Orlebar, *Lincoln*.  
 William Pearson, *University*.

## CLASSIS IV.

Arthur H. D. Acland, *Christ Church*.  
 Thomas F. Barrow, *St. Alban Hall*.  
 John Bramall, *Exeter*.  
 Thomas Carter, *Worcester*.  
 Marquis of Douglas, *Christ Church*.

Edmund S. Ensor, *Brasen-nose*.  
 George Gorrick, *University*.  
 Fras. Glory, *Christ Church*.  
 Henry Hilton, *Worcester*.  
 Edward Hinxman, *Exeter*.  
 George Hodson, *Exeter Hall*.  
 William Hooker, *Pembroke*.  
 James R. Hope, *Christ Church*.  
 William Hornby, *do*.  
 Thomas Hughan, *Balliol*.  
 Charles Leslie, *Christ Church*.  
 Rd. T. P. Pulteney, *Trinity*.  
 Robert F. Rickards, *Balliol*.  
 George Rushout, *Christ Church*.  
 Robert Serjeant, *Magdalen Hall*.  
 John L. Spencer, *Worcester*.  
 George S. Stanley, *Christ Church*.  
 Richard J. Uniacke, *St. Alban Hall*.  
 Thomas H. Whorwood, *Magdalen*.  
 Robert Williams, *Oriel*.

## *In Disciplinis Mathematicis et Physicis.*

## CLASSIS I.

George Cardew, *Exeter*.  
 William Froude, *Oriel*.  
 Thomas A. Maberly, *Christ Church*.  
 George B. Maule, *do*.  
 Arthur B. Orlebar, *Lincoln*.  
 Robert F. Rickards, *Balliol*.

## CLASSIS II.

Arthur H. D. Acland, *Christ Church*.

Thomas Hughan, *Balliol*.  
 Charles Marriott, *do*.  
 Samuel Walker, *do*.

## CLASSIS IV.

F. W. Wykeham Martin, *Balliol*.  
 Robert Williams, *Oriel*.

## CHANCELLOR'S PRIZES.

Latin Essay.—“*De Stoicorum Disciplina.*” T. L. Claughton, *Trinity*.  
 English Essay —“*The Study of Different Languages, as it relates to the Human Mind.*” B. Harrison, *Christ Church*.

## POETICAL PRIZES.

Latin.—“*Attila.*” John Thomas, *Trinity*.  
 English.—“*Staffa.*” Roundell Palmer, *Trinity*.

## UNIVERSITY OF CAMBRIDGE.

### EXAMINATIONS. MATHEMATICAL TRIPOS, 1832.

Moderators. { Francis Martin, M. A. *Trinity*.  
 { James Bowstead, M. A. *Corpus*.

#### Wranglers.

Ds. Heath	<i>Trinity</i> .
Laing	<i>John's</i> .
Cotterill	<i>John's</i> .
West	<i>Trinity</i> .
Hamilton	<i>Trinity</i> .
Russell	<i>Caius</i> .
Cookson	<i>Peter's</i> .
Shorting	<i>Peter's</i> .
Bromly	<i>John's</i> .

Rowlands	<i>Queen's</i> .
Hawtreay	<i>Trinity</i> .
Simpson	<i>Sidney</i> .
Eyres	<i>Caius</i> .
Webster	<i>Trinity</i> .
Chapman	<i>Jesus</i> .
Ottley	<i>Caius</i> .
Nind	<i>Peter's</i> .
Davidson	<i>Christ's</i> .
Milne	<i>John's</i> .

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Ds. Hoare	Trinity.	Ludlam	Peter's.
Evans	Caius.	Scott	Trinity.
Pinckney	Trinity.	Wright	John's.
Hodgson	Sidney.	Hailstone } <i>Æq.</i> {	Trinity.
Browne	Emmanuel.	Hirst	Pembroke.
Ray	Peter's.	Skally	Christ's.
Potts	Trinity.	Porter	Caius.
Power	Clare.	Bowstead	John's.
West	Peter's.	Bell	Corpus.
Cotesworth	Peter's.	Radcliffe } <i>Æq.</i> {	John's.
Francis	John's.	Shadwell	John's.
Lloyd	Emmanuel.	Wentworth Fitzwilliam, } <i>Trinity.</i>	
Considine	John's.	Hon. W. C.	
Mendell	Catherine	Wilkinson	Christ's.
Alford	Trinity.	Adams	Caius.
George	John's.	Spencer	Christ's.
<i>Senior Optimes.</i>		<i>Junior Optimes.</i>	
Ds. Grove	Pembroke.	Ds. Broadhurst	Magdalen.
Daniel	John's.	Fitzherbert	Queen's.
Maddison	Jesus.	Howorth	Queen's.
Lushington	Trinity.	Morrison	Trinity.
Fysh	Queen's.	Dickinson	Trinity.
Shurt	Christ's.	Gallichan	John's.
Crawford	Caius.	Cottom	Catherine.
Williams	Trinity.	Chapman	Corpus.
Borton	Caius.	Dobson	Trinity.
Thompson	Trinity.	Gibbs	Queen's.
Holmes	Emmanuel.	Wills	Queen's.
Bridgeman	Peter's.	Thompson	Christ's.
Venables	Jesus.	Christie	Trinity.
Brade	John's.	Brown	Magdalen.
Golding	Queen's.	Skirrow	Trinity.
Bland } <i>Æq.</i> {	Trinity.	Upcher	Trinity.
Grant } <i>Æq.</i> {	Queen's.	Beadon	John's.
Allen	Trinity.	Clarke } <i>Æq.</i> {	John's.
Forster } <i>Æq.</i> {	Catherine.	Richardson } <i>Æq.</i> {	Trinity.
Martin } <i>Æq.</i> {	Queen's.	Panting	John's.
Ebden	Trinity Hall.	Read } <i>Æq.</i> {	Magdalen.
Tottenham	Trinity.	Wray } <i>Æq.</i> {	John's.
Hurnard	Corpus.	Chapman } <i>Æq.</i> {	Trinity.
Martin	John's.	Shilleto } <i>Æq.</i> {	Trinity.

## CLASSICAL TRIPOS, 1832.

*Examiners.* { Rob. Wilson Evans, M. A. *Trinity.*  
John Fred. Isaacson, M. A. *John's.*  
Benj. Hall Kennedy, M. A. *John's.*  
Connop Thirlwell, M. A. *Trinity.*

<i>First Class.</i>		<i>Second Class.</i>	
Ds. Lushington	Trinity.	Forster	Catherine.
Shilleto	Trinity.	Ludlam	Peter's.
Dobson	Trinity.		
Thompson	Trinity.	Fitzherbert	Queen's.
Venables	Jesus.	Brade	John's.
Wray	John's.	Bromby	John's.
Broadhurst	Magdalen.	Martin	John's.
Alford	Trinity.	Panting	John's.
Heath	Trinity.	Chapman	Trinity.
Grey, Hon. John	Trinity.	Wentworth Fitzwilliam, } <i>Trinity.</i>	
		Hon. W. C.	



Borton	<i>Caius.</i>	Considine	<i>John's.</i>
	<i>Third Class.</i>	Bowstead	<i>John's.</i>
Da. Power	<i>Clare.</i>	Christie	<i>Trinity.</i>
Browne	<i>Emmanuel.</i>	Grove	<i>Pembroke.</i>
Hodgson	<i>Sidney.</i>	Fysh	<i>Queen's.</i>

## CHANCELLOR'S MEDALLISTS, 1832.

E. L. Lushington *Trinity.*  
W. H. Thompson *Trinity.*

## CHANCELLOR'S PRIZE.

W. C. Kinglake *Trinity.*

## SIR W. BROWNE'S MEDALS.

Greek Ode } Jas. Hildyard *Christ's.*  
Latin Ode }  
Epigrams --- Wm. Nicholson *Christ's.*

## PORSON PRIZE.

Henry Lushington *Trinity.*

## SEATONIAN PRIZE.

T. E. Hankinson *Corpus.*

## LAW CASES AND NARRATIVES.

OLD BAILEY, JAN. 6.

*Before Mr. Justice Park and Mr. Justice J. Parke.*

Edward Cook, aged 50, and Eliza Cook, aged 38, were placed at the bar, indicted for the wilful murder of Caroline Walsh, on the 19th of August last. The female prisoner was charged with causing the death of the deceased, by violently squeezing her neck, breast, stomach, and nostrils, until suffocation ensued; and the male prisoner was charged with aiding and abetting in the said murder.

The first witness called was Edward Cook, the son of the prisoners. As he passed by the bar where they stood, they looked sternly at him, and the mother asked whether "he had come there to tell any more lies?"

Edward Cook, examined.—Is in Aldgate charity school; goes backward and forward to the school every morning and night, and comes home to his meals. In August last was living in Goodman's Yard, Whitechapel, in a single room, the garret. Knows Ann Butin; has seen an old woman, a relation of hers, in her company; believes the old woman used to sleep with Ann Butin. The old woman used to carry a basket about the streets with matches in it. On a Friday in August witness saw the old woman in his father's room; remembers Ann Butin coming to inquire at his father's house; thinks Ann Butin came

on the same day as the old woman; first saw the old woman in the afternoon at five, after returning from school. Witness's mother and father were in the room with her. They were drinking beer, and some coffee was made about nine o'clock. The usual time of taking coffee or tea at home was five or six o'clock. The old woman took one cup of coffee, and afterwards laid herself on the bed; did not notice whether she went to sleep or not. In about half an hour after, saw his mother go towards the old woman, and clap her hand on her mouth, and keep it there, perhaps for half an hour. She put the other hand somewhere about the chest. His mother leaned over the woman at the time. Witness observed the woman's eyes rolling—he believed after his mother took her hands off. He was certain it was when his mother took her hands off. Never saw the old woman speak or move after. Has seen two or three dead persons; the old woman appeared to him to be dead. Believes his father went to the window before his mother went up to the woman. The window was opened by his father, he believed after the drinking of the coffee. Whilst witness was looking at his mother, he could also see his father. Witness had his back to the fire, and the window opposite him. The bed, which was not very high from the ground, stood between the fire and the window. Heard his mother say

something about an hospital ; does not know whether she spoke to the old woman or his father. Neither of them gave any answer. Did not hear his father say anything in the course of the evening. His mother carried the old woman out of the room, like a baby in her arms. His father came round the bed to the fire, about half an hour before his mother carried the old woman away. Witness went to bed about twelve o'clock, and did not see his mother any more that night. He awoke in the night, and heard some screaming, but would not say whether this occurred on Friday or Saturday. He rose at seven o'clock. Saw his mother in the room, but does not recollect having seen his father. About five minutes before eight o'clock went down to the cellar. Some person had told him that there were ducks there, and he went to look for them. Went to the part of the cellar where the stairs stand ; it is rather darker there than in the other parts. There is a corner over which the stairs ran. Witness saw a sack in the corner, and some hair hanging out of it. The sack appeared to be tied round the top with some string, but not tied close. The hair was black and gray. Saw his mother take a sack from under the bed ; but is not sure whether it was that day or afterwards. Believes the sack he saw in the cellar was the same. On Saturday night saw his mother going down Goodman's yard, between eleven and twelve o'clock. She was carrying a sack across her shoulders, with something apparently in it.

Cross-examined. — Witness was twelve years old last Christmas. Cannot say how he recollected that this affair took place on a Friday

in August. Never mentioned this matter to any person lodging in the same house. Went to the school on Saturday morning, after having been in the cellar. Saw no other person in the room on Saturday, but his father and mother and the old woman. Does not recollect speaking to his father at all. Next morning witness went to the cellar for the purpose of using the privy, but did not use it. The place where the sack lay under the stairs was darkish, but positively swears that he could see that the hair protruding from the sack was black and gray. He does not know where he was, when he saw his mother carrying the sack in Goodman's yard ; but he believes he was at the window of his room, which was three stories high, and the hour was eleven at night. The cellar and privy were common to every person lodging in the same house. Did not examine the sack.

Re-examined. — Witness would not have seen the sack, if he had gone direct to the privy and back. The cellar is lighted by a window, which has a shutter to it. Thinks that the shutter was open, when he went into the cellar. Thinks he has given a different account of this occurrence before. Thinks he told the magistrate that the woman was alive on Saturday morning. He said so, because he did not like to tell the truth.

Mr. Henry Reynolds, a surgeon. — Had heard the account given by the preceding witness of the manner in which the old woman was treated : such treatment was sufficient to cause death by suffocation. The motion of the eyes might be produced by suffocation. It is generally the last motion of life.

A plan of the room and cellar

was handed to a surveyor, who swore that they were correctly drawn. The room was eleven feet eleven inches from the fire to the window, and lengthways thirteen feet. The bedstead in the room was six feet long and four feet two inches broad. The light thrown into the cellar by the window was obstructed by the stairs.

On cross-examination, the surveyor stated, that the place under the stairs was darker than in other places: but after being in the cellar the eye became accustomed to the place, and could distinguish any thing lying under the stairs.

Edward Cook was recalled, and, in answer to a question, stated that he did not suspect what his mother was doing, when she placed her hand on the old woman. Did not see his mother take any clothes off the woman. Heard his mother say something about some hospital; but does not know what. Said before the magistrate that his mother told him herself on Sunday morning that she took the body to the London Hospital. Witness still declared that his mother did tell him so on Sunday morning.

Elizabeth Jones. — In August last, she kept a house in Goodman's yard, in which the prisoners lodged. The privy, in the cellar, was not much frequented, on account of the great quantity of rats. There was another privy, not in the cellar, which was used by the inmates. The window of the cellar was generally opened about seven o'clock. Remembers an old woman coming to the house at ten o'clock on the 19th of August. She was a tall person; but witness did not see her face. She had on a dark stuff gown, a light blue shawl, and a black willow bonnet: her feet were through

her stockings, and she wore shoes. Witness, on her first examination, described the shawl to be an old dark one; but, upon recollection, knows that the colour was light blue. Every thing behind the woman appeared tidy; but witness did not see her face.

Ann Butin. — In August last, she had a grandmother of the name of Caroline Walsh, who was eighty-four years of age, and very tall. She was a robust and hearty woman. She lodged with witness in July last, and got her living by selling tapes and laces, which she carried in a basket. She was very cleanly in her appearance. She last saw her on the 19th of August. She then wore a dark gown and light blue shawl, with part of the colour washed out, also a black willow bonnet, broken in the crown, and pinned with two pins. Her petticoat was made of figured stuff. It had the pattern of a leaf. She had an old shift, very much pieced, but of a good colour, also a pair of gray worsted knit stockings. Witness knitted those stockings, which were quite different from what are sold in shops. They were very much broken at the heel, and had been mended. She had on a small pair of men's shoes, which were too large for her, and by slipping wore out the stockings at the heel. Shortly before the 19th of August witness had obtained a lodging for her grandmother at Mrs. Shaw's. Witness made a pocket for her, which she wore on the 19th of August. Witness saw her grandmother on the 19th of August, about twelve o'clock in the day. Saw her again at five o'clock, in the street, and then found out that she was going to Cook's. On that day witness had called at Cook's at twelve o'clock. Saw a bundle

tied up in the room, and found it to contain her grandmother's night gown and night cap, small mattress, a rug and sheet. Knows it was the 19th of August, because that was the day on which her sister's child went to nurse. Saw the boy Cook there. He was in the daily habit of seeing her grandmother. Left a message with the boy for her grandmother. At five o'clock met her grandmother in Cutler-street, and was angry with her for going to Cook's. Had tried to persuade her not to go there. Appointed with her to call at Cook's next morning, and told her not to go out till witness came. Her grandmother agreed not to go out. Mrs. Cook had frequently said that she wished witness's grandmother to come and lodge with her. Has never seen her grandmother since the time she parted from her in Cutler-street. At nine o'clock next morning witness went to Mrs. Cook's. Saw the female prisoner in the room. Witness asked her where the old lady was; the prisoner told her that she had just gone. Witness said that she was very much surprised, as her grandmother expected her. Prisoner replied that the old lady had told her so; that she had gone out soon to be soon home; and that they all had a jolly good supper. Witness observed that she was very glad they had enjoyed themselves, and should take the liberty of asking what they had. The prisoner answered that they had potatoes and meat, and Cook went out to get something to make the old lady comfortable; that Cook seemed very partial to the old lady, and that she slept on the bedstead last night. Witness said that she was very much surprised, as her grandmother had her own bed to sleep on, and had

never been in the habit of sleeping with any other person. Witness observed the bundle in the room lying in the same state in which she had left it. The prisoner said that Cook had doubled up that piece of sacking to put the old woman in last night. There was a coarse piece of sacking in the room. Witness expressed her surprise, and asked what she meant. The prisoner replied, that Cook doubled it up, and put it underneath the old woman. The prisoner also said that the old woman had got no shift on; but if witness brought one, she would wash it for the old woman. Witness said that she did not think her grandmother wanted a shift; but if she did, witness offered to give her one. A week before witness had given her a clean shift and clean cap. Witness asked the prisoner how she came to know that her grandmother had no shift? and, said: "You must have examined the woman very close to know that." The prisoner made no reply. The prisoner afterwards said that witness had a coffee-pot, a frying-pan, and a tub to give to the old woman. Witness said she would give them to her grandmother, when she saw her. Witness and the prisoner then went to Bishop's, a gin-shop, at the corner of Goodman's-yard. They drank some gin and beer. Witness began again to talk of her grandmother. The prisoner observed, "From what you say, you seem to think that we have murdered the old woman." Witness said, "I hope not." The prisoner repeated, "From what you say, you think we destroyed her at our place." Witness said, "Mrs. Cook, you put the words in my mouth; what I suspect I don't say now, but you

shall know of it hereafter." Prisoner wanted witness to go to her house to have something to eat. Witness refused; but prisoner asked so often, that witness gave her threepence-halfpenny to fetch a loaf and cheese, and promised to take some of it in the public-house. The prisoner went away, and never came back. Witness waited two hours in the public-house, and then went searching for her grandmother for about three quarters of an hour. Witness afterwards pledged a gown in the name of Walsh at a pawnbroker's named Austin. Witness returned to Cook's lodgings about five or six o'clock; both prisoners were present. Witness asked whether the old woman had come home yet. The female prisoner gave no answer to the question; but put up her hand and told her not to speak. The male prisoner had gone to the window, and this sign was made behind his back. The female prisoner then said softly, "You must not tell Cook that I was in your company to-day." The male prisoner in a few minutes after went down stairs. The female prisoner then told witness that Cook had beaten her most unmercifully,—(she had marks of having been beaten). The prisoner said that Cook had beaten her for having gone out with witness; he had said she had no business to go out looking for the old lady. Witness went several times to Cook's to inquire for her grandmother. Also went to the hospitals and poor-houses, and found no trace of her. Mrs. Cook went with her to one of the poor-houses. On the Monday night saw the man Cook at his house between six and seven o'clock. The female prisoner was present. Witness told them what she had been doing; and the man

said that she had better wait till the month was up, and it was very likely that she might hear of her grandmother, dead or alive, then. The female prisoner asked witness several times to stay all night. The husband could hear what the woman said. The female prisoner said, that she (witness) must be tired, and that she might sleep on her grandmother's bed; and perhaps while she stopped there, her grandmother might come home. Witness replied that she had her sister's house to go to, and did not wish to stop at Cook's. Witness made some complaint to the police-office; but it was not till October that Lea, the officer, took up the matter.

**Lydia Basy.**—Is Mrs. Butin's sister. On the 19th of August went with her grandmother (Mrs. Walsh) between six and seven o'clock to Mrs. Cook's room. It was on the same day that her child was taken to Norwood. Her grandmother wore a black willow bonnet, rather broken on the top, a blue shawl with a border, and the colour rather washed out, a black stuff gown, a purple-figured stuff petticoat, a pair of gray knitted stockings, and a pair of men's shoes of a small size. Witness had a child in her arms when she accompanied her grandmother to Cook's. As they were going there her grandmother put her hand into her pocket, and gave the child a biscuit. Her grandmother in doing so lifted up her petticoat, and witness saw the pocket. Witness's sister made the pocket. There was an iron-mould on the pocket, and a stain on the shoulder of the shawl. Witness left her grandmother at the door of Cook's room; and she had at that time her basket in her hand.

—Lea,—Is an officer at Lam-



beth-street. In consequence of information he received, he went on Friday, the 28th of October, to White-Horse-court, whither the prisoners had removed. He saw the female prisoner coming out of the court, and followed her to Rosemary-lane. Mrs. Butin was with the witness, and pointed her out to him. Witness went up to the female prisoner, and told her that she must go before a magistrate respecting an old woman. Then prisoner said "that the last she saw of her was on Saturday morning (witness had not previously mentioned the name of any person); that the old lady had given her halfpence to buy sugar: that she had given the old lady her breakfast before her husband came home, that he might not know it." Witness asked at what time Cook got up? The prisoner replied between four and five o'clock. She then said, "Have you got Cook?" Witness asked her where Cook was. She answered at a tea-warehouse in Katharine Docks. Witness asked the prisoner at what time she went to bed on the Friday night? She replied that they all went to bed at nine. Witness inquired what they had for supper? She said cold meat and coffee. As they were going along, Mrs. Butin asked what they had done with the old woman? She said, that the old woman, after having her breakfast, went out and left her and Cook smoking by the fire; and that when she returned, she found the room swept up, and the old woman gone. Witness afterwards went to Katharine Docks with Mrs. Butin, and called the male prisoner out. Witness told him that he must go before a magistrate respecting an old woman who

was missing. The prisoner said, "Very well; it is very proper that it should be inquired into;" he admitted that the old woman was in his room on the Friday night, and said that she made her bed in the corner of the room. Witness asked at what time he went to bed? He replied about a quarter past eleven o'clock. Prisoner added they had hot meat and tea. He said that he saw the old woman at breakfast next morning: he had got up early to go to look for work, and returned about seven o'clock, but he did not recollect whether the old woman was gone before or after he returned. Witness went and apprehended the prisoner's son. The prisoners were confined in three separate cells. A conversation took place between them while so confined. The woman began the conversation. She called out, "Ned; ask little Ned who told him to say what he has been saying about me?" The man then called to the boy, "Ned, your mother wishes to know who told you to say what you have about her?" The boy answered, "Nobody." The man returned the answer to the woman. She again said, "Ask Ned how he came to say what he has?" The question was repeated by the man; and the boy called out, aloud, "Why, because she did it." The woman then said, "Oh! that we should have to suffer for what we know nothing about." The man said, "God knows that I had no hand in it; never mind, there is nothing in this world that we should wish to live for; there will be forgiveness by God, at the last moment." That was the whole of the conversation which took place at that time. On other occasions, the

male prisoner said to witness, "You have had a great deal of trouble about this affair;" and the woman added, "With all your trouble you have not found the old woman's body yet. All the things which I have sold, the grand-daughter brought in a bundle to me." He also deposed to having found upon the premises, certain fragments of black stuff, which there was reason to believe had formed part of the apparel which had been worn by the deceased.

Mary Label, a clothes-woman in Rosemary-lane, Rag-fair, proved that the female prisoner had offered her various articles of wearing apparel immediately subsequent to the date of the murder, and more particularly a pair of home-made lead-coloured worsted stockings, much darned in the heel, which she purchased for fourpence. Stay-laces, a plum-coloured petticoat, a cap, and a shawl, were among the items enumerated. Some were purchased by witness, and others by neighbouring dealers in a similar line of business. The prisoner testified great apprehension lest the goods which she offered for sale should be seen at the time by any one but the purchaser.

Sarah Cotton, Hannah Channel, Celia Burke, William Thomas Elder, Mary Hayes, Sarah Bradley, Mary Goleburgh, and Elizabeth Dunham, respectively corroborated the testimony of the former deponent, all of them earning their livelihood by following the same vocation.

The articles purchased were then produced and identified by the grand-daughter, as having constituted part of the property of the deceased.

At this stage of the case the counsel for the prosecution called a number of witnesses, for the purpose of showing that one Caroline Walsh, who died a pauper in the London Hospital at the period of the murder, was not the party suspected to have been destroyed in the manner described in the indictment.

John Skeig, a parish bandle, stated, that he found, on the 20th of August, an Irish woman, named Caroline Walsh, lying on the steps of a hall-door in London-street, Fenchurch-street, apparently so exhausted by sickness and distress, that he consigned her to the care of the superintendent of Hoxton workhouse.

The surgeon and several nurses in that establishment deposed that the old woman so confided to their care was in a state of such squalid filth and nastiness, that it was found necessary to dispose of all her raiment by depositing it in the burial ground. It was also ascertained that her hip-bone was fractured, whereupon she was transferred as a patient to the London Hospital, and shortly afterwards expired.

A professional gentleman and one or two domestics in that institution described minutely her personal appearance, which did not at all correspond with that of the deceased Caroline Walsh. The one was found in a state of loathsome squalor, whereas the other was particularly cleanly and neat in her appearance. The one wanted her fore teeth, whereas those of the other were wholesome and undecayed. The feet of the pauper were deformed by bunions and such-like excrescences, but the female supposed to have been mur-

dared was entirely free from such defects. The one was about sixty years of age, and the other upwards of eighty: and, to leave no doubt whatever upon the subject of identity, the body of the pauper was disinterred in the presence of the grand daughters, who at once denied that it bore any resemblance to that of their relative.

The case here closed on the part of the prosecution.

The prisoners, on being called on for their defence, severally put in written papers, asserting their innocence of the crime with which they were charged, and maintaining that the evidence of their son was a tissue of unnatural falsehoods.

The Jury retired for half an hour, and returned a verdict of *Guilty* against the female prisoner, but acquitted her companion.

On the following Sunday she expressed her wish that Cook and her son might be allowed to visit her, which, however, was refused. She retired to rest at an early hour on Sunday night, two females having been placed in the cell with her, but her slumber was frequently broken by half-uttered ejaculations; one of which was—"Oh Cook, you could have cleared me if you had liked;" another was, "Oh my child, my deluded child, thus to hang her who suffered for you."

Upon her being led into the bread-room on Monday morning to be pinioned, she in a firm tone of voice exclaimed, "Oh, my God! am I going to be hanged for what I am innocent of?" She then walked firmly to the yeomen to be pinioned; and while they were engaged in their sad office, she said, "Oh, my God! why did I leave my country to be thus treated?

Oh, Mr. Wontner, I thought you were more of a Christian than to suffer a poor innocent woman to be hanged. I left my husband and boy sitting with the old woman and I never saw her after. You have now in your custody one who can prove me innocent, and quite clear me of the charge. Oh, my poor, my deluded child!" Mr. Cotton, at the request of Mr. Sheriff Pirie, again addressed her with a view to elicit an admission of the justice of her sentence, but the only answer returned was, "I am innocent: I never touched the old woman. Oh, my God! why did I leave my native country, thus to die in a foreign land for what I am guil—innocent, I mean? Oh dear, oh dear!"

On arriving at the foot of the scaffold, she said to Mr. Cotton, "Pray, Sir, am I going out in the street?" Mr. Cotton answered in the affirmative, and again conjured her to make her peace with the Father of all mercies; "All hope of mercy on this earth is past, and a few moments will place you in the presence of him who knows the secrets of all hearts." She replied, "I'm innocent;" which she persisted in declaring until the drop fell.

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LEICESTER, MAY 28.

*Murder of Mr. Paas by Cook.*

Mr. Paas, of No. 44, High Holborn, brass ornament manufacturer, arrived on the last Wednesday of May, at Leicester, called at the Stag and Pheasant, and left specimens of binding tools, &c. with the trade. He did not return to his inn in the evening, and was never seen again. His fate was revealed by the following

circumstances. A very large fire was noticed in the binding room of a person named Cook, situate down a small yard in Wellington-street. The neighbours observed at the same time a strong smell; and suspicion being excited, a constable was sent for and an entrance forced, when Cook was found standing over the fire. They asked him what he was doing? He said "Burning horse flesh." He was taken into custody; but on his father promising that he should appear again in the morning, he was set at liberty, and immediately absconded. Suspicion was renewed, and the premises being again searched, the lower parts of a human body were discovered a short way up the chimney. They appeared to have been cut and sawed asunder, just above the hips. Two thighs and part of one leg were left; the remains showed that they were part of the body of a male person. The collar of a coat, a gaiter, brace buckles, &c. were discovered among the ashes thrown from the fire. A pencil-case and a snuff-box were also found, on which the name of Mr. Paas was engraved.

On the evening of Sunday the 1st of July, a coroner's inquest was held, when the following witnesses were examined.

Mr. Joseph Denton, surgeon.—On Friday morning, a little before nine o'clock, he was called upon by the town beadle, and accompanied him to the workshop of Cook, in Wellington-street, where he found a mass of broiled flesh lying on the floor, around which was scattered a number of similar substances. He caused it to be placed on a bench, and then examined it particularly, and recognized it as part of a human body of the male sex. It consisted of the lower part from

the seat to the end of the thigh bones, and appeared to have been sawed off at either end. The bone of the right thigh and the pelvis were perfect, but the left thigh bone was much shattered.

Mr. Thomas Macauley, surgeon, gave a nearly similar description of the remains.

Mr. J. P. Stallard, surgeon, confirmed the preceding testimony, and spoke to the marks still visible of a great effusion of blood all over the floor, notwithstanding that it had since evidently been well washed and scrubbed.

Mr. John Timson, a broker, residing in Wellington-street.—His residence is distant two doors from Cook's, to which his attention was called about 10 o'clock on Wednesday night by a neighbour, who told him it was on fire. He instantly ran there, and could distinctly see a strong light through the window of the shop, which is an upstairs room. There was a canvass blind to the window, which was down. A number of persons were collected around. He burst open the door, and entered a cow-house, whence a flight of brick steps led him into the shop. He there found a large coal extending beyond the cheeks to the brickwork on each side, and on the fire was a large piece of burning flesh. He took it off and put it on the floor, and afterwards, with others, raked out the coals and put out the fire. Cook was not there, but on being sent for, came, and, in answer to questions put to him, said, that he had bought a dog on Friday, and had bought the meat the next day for this dog. The dog was to have been delivered on the Monday, but the man refused to let him have it, and as the meat began to smell, he burnt it out of

the way. Measures, a constable, was sent for, and took Cook into custody. Measures shortly after went away, leaving Cook in charge of witness. He returned in about half an hour, and he and Cook, Carnell, and witness, went to the house of Cook's father. The father was not at home, but they saw the mother and sister, who said he was gone down to his son's shop, having heard a report of its being on fire. The father and another of his sons, named Job, came up shortly after, and Measures explained to them what had taken place, and asked if they would be responsible for James Cook's appearance in the morning. They said they would, and James Cook was set at large. They then separated, and witness went home. On the following morning witness again saw the flesh, but neither he, nor several other persons who found it, could tell what it was.

By one of the Aldermen.—The next day he went to Alderman Rawson's, and by that gentleman's directions the flesh was examined by Messrs. Denton, Macauley, and Stallard, and its kind ascertained. An inquiry was then made for Cook, but he could not be found, and, on going to his father, he was told by him that he had gone away in the night, he did not know where. On searching Cook's shop, a large hammer, a hatchet, and a saw were found. Witness had been acquainted with Cook about six weeks, and knew him to be in respectable business. About 8 o'clock on the night of the alarm, witness was in Nokes's yard, playing at bowls, when Cook came in and joined the party. He observed nothing particular in his manner.

Mr. John Nokes, of the Flying Horse, a licensed dealer under the

new act, deposed, that, about ten o'clock, or a few minutes after ten o'clock, he went to open his door, to let out Carnell, Timson, and Sampson, when he saw, through the window of Cook's shop, a great blaze, such as made him believe that the room was on fire. He gave an alarm, and the door was burst open by Timson. On his going up stairs, he found the fire out, and the piece of flesh lying on the floor. The bricks all around the fireplace were red hot. There were several sheets of pasteboard placed over the window. The party returned to his house, and he sent for Cook, who shortly after came, and, in answer to a question, said, he had bought the flesh, which was that of a horse, for a dog he expected from the country, but the dog not coming, he made a fire to burn the flesh. Witness told him he was very near setting the premises on fire, to which he replied, "Well, there is nothing the matter; the fire is out, so let's lock the door, and go." Witness said, he was not satisfied, and sent for Measures, who came, and took Cook into custody. Previously to this, and about six o'clock the same evening, he saw Cook looking over the wall into the bowling-ground. He offered Cook a glass of ale, which he at first declined, saying, he was unwell, but afterwards drank it. Shortly after he came into the bowling-green, and played there till about nine o'clock, when he went into witness's house, and sat down on a bench close by witness, and took out a long brown silk purse, with two slides, and took a sovereign out of it, and asked for change. Witness put his finger on it, when he said, "Stop, I think I can find half a sovereign." He took out the purse,



and putting his finger up one end, appeared to be turning over a large quantity of coin, and at last brought out half a sovereign, for which witness gave him change, and he shortly after left. On taking the purse out, Cook let the end containing the money fall on the table, and it gave a sound like the fall of a heavy weight of metal. The pasteboards inside Cook's shop were fastened, some of them by strings from the top of the window, and others placed upright from the sill so as to meet these. They appeared to be intended to prevent the light of the fire being seen without.

Charles Wilkinson, aged 14, examined.—He lives with his mother in King-street, but during the day worked for Cook. He was on "liking" as an apprentice, and had been so three quarters of a year. Witness went to the shop on the Wednesday morning about seven o'clock. Cook was not then there, but witness found the key left as usual in a spout, and let himself in. Cook came about eight o'clock, and witness then went to his breakfast, and returned about nine, and continued working with his master till near ten o'clock, when a gentleman came up the stairs into the shop, and, addressing Cook, said, "Good morning, Mr. Cook." Cook replied, "Good morning, sir." The gentleman took out a pocket-book, and asked where Mrs. Johnson lived. Cook replied, "in Albion-street," and immediately after turned round to witness, and said, "Joey, you may go home till I fetch you." Witness accordingly went away. The gentleman was dressed entirely in black, had a red face, gray whiskers, and was rather tall. His master had never given him a holiday before, but he

had promised him the week before that he would give him one about that time, as he said he was going out of town. They had plenty of work at the time, more than they could do. Witness never went near the premises after the holiday was given him until fetched by Measures. His master had in a 100 weight of coals on the previous Saturday. Cook's brother, Michael, was in the habit of calling every Saturday. He lives at Queenborough. (This place is five miles distant from Leicester.) On the preceding Saturday Cook accompanied his brother back to Queenborough; they went in a gig belonging to Michael Cook. Witness observed, that immediately on the gentleman's entering, his master turned very pale; and, on getting home, he told his mother that he thought the gentleman had come to ask for money, as his master turned pale instantly on seeing him. One day, the week before, he purchased three pennyworth of laudanum for his master. The same week his master brought a hatchet to the shop, and had it ground on a stone they had there. He said he bought it to chop sticks with. They never used sticks, either in the trade or to light the fire with; for the latter purpose they used the cuttings of the milled boards and of paper.

Dent, a constable, produced the following articles which had been found in Cook's shop:—A snuff-box, an eye-glass, a gold watch-key, a small rule, a pocket-knife, and a pencil-case marked P. He also produced the leggings of a pair of black trousers, and other fragments of cloth, much stained with blood; also a saw, a hatchet, three iron bars, and two hammers. One of these hammers had a head



weighing 14lbs., was round at one end, and of a long wedge-like form on the other. It was fitted to a wooden handle, only six inches long.

George Cooke.—Lives at Loughborough, and assists his father, who drives the Express coach between that place and Manchester. On Friday morning, about half-past five o'clock, on entering the Black Horse yard, he saw a person talking to one of the stable-keepers. Witness learnt from the stable-keeper that he had been there some time; that he came in tired, and with dirty shoes, but had wiped his shoes with hay, and also oiled them, and then rested himself in the hay. He had on a blue coat with lappels, brown trousers, a black stock, and over them a blue and white silk neckerchief not hemmed. He had largish whiskers, coming down nearly to his chin, and a rather long face. Witness entered into conversation with him, and, after some time, he produced a shirt pin, saying, "See what I found yesterday, I have no occasion for it, and don't mind selling it." He then pulled his neckkerchief aside to show he had a brooch. Witness finally bought it of him for 2s. They stopped talking for some time, and the man pulled out a gold watch, with curb chain, and two gold seals and a key, and said, "See what my father has purchased for me; he gave forty guineas for them, and I would not take as much back for them again." He afterwards asked witness, if he could change a 10*l.* or a 5*l.* note of the Bank of England for him, and at the same time pulled out a long green silk purse, and from a roll of paper at one end took out and opened one note of each of

these values. Witness observed, that at the other end of the purse there was gold of some sort, but how much he could not say.

Mr. W. Mancell, bookseller, of Claremont-place, Pentonville, examined.—Mr. John Paas, of 44, High Holborn, married his sister. Mr. Paas left London about two months back. Mr. Paas was an engraver's tool maker, and was in the habit of making long commercial journies. The snuff-box, the pencil-case, and the shirt-pin produced he can swear were the property of Mr. John Paas. The shirt pin he can swear to most positively, as it was one of five made as mourning memorials of Mr. George Mancell, who died in August, 1818. Mr. Paas had one given him, and was in the habit of wearing it.

Mr. Dixon, also a relation of Mr. Paas, identified the snuff-box, the pin, and some other articles, as having been the property of that gentleman.

Mr. R. Tibbut, a bookseller in the Haymarket, Leicester, was acquainted with Mr. Paas. On Wednesday morning, about half-past nine o'clock, Mr. Paas called on him, and made inquiries about the solvency of several tradesmen in the town, and, among others, about Cook. Witness told him he knew nothing about him, and asked if he had any account against him? Mr. Paas said he had, and asked where he lived, and witness told him. Mr. Paas then gave witness a small account he had against him, and said he should go round among the trade, and call in again. He then went away, and called again about two o'clock. Witness, after settling his account, asked him if he had done his business to his satisfaction; and he replied, "Pretty well; but Cook

has not settled with me and has asked me to call again in the evening." After this conversation, Mr. Paas left.

Mr. William Hester, landlord of the Stag and Pheasant Inn, said, that he saw Mr. Paas for the last time about six o'clock on the evening of Wednesday. He left the inn, saying, "Now I will go and finish my business." He went in the direction of Cook's shop.

A verdict of wilful murder was returned against Cook.

He was traced to Liverpool, and arrested on the morning of the 5th of June, as he was making off in a boat near the Black Rock. The officers succeeded in running it ashore. Cook leaped overboard, and attempted to drown himself. When they secured him, he took out a bottle, and tried to swallow something from it; but it was knocked out of his hand. They found on him 44 sovereigns, and a half guinea, and 7s. 5d., (but no notes), a silver watch, a gold chain and seals, and a brooch. He was conveyed to Leicester; and, when brought before the magistrates there, spoke nearly as follows:—"I am innocent of wilful murder, and my conscience is not burdened in the manner that you gentlemen seem to suppose. Mr. Paas called on me in the morning, but what morning I cannot exactly say, my agitation of mind has been so great ever since. I paid him a bill of 12s. There were two bills due. The other was for a larger sum. Mr. Paas wrote settled on the 12s. bill, and I told him I would strive to pay part of the other, if he called again in the evening. Mr. Paas did call in the evening; but I was not able to give him any thing. He was angry and I was angry, and disagreeable words took place,

and a scuffle ensued, and in this manner I was brought to this shameful and disgraceful end." The prisoner had previously told the constables, that, during the scuffle, Mr. Paas had thrown the great hammer at his head, and that it struck his shoulder, and that in the heat of the moment he snatched up the press pin (a strong iron bar) and hit him with it on the back of the neck, and he fell dead instantly.

On Friday morning the prisoner was visited in his cell by Mr. Burbidge the town clerk. Mr. Burbidge asked him how he felt himself? The prisoner replied that he was more comfortable in mind than he had been since the commission of the crime, and that he knew he must suffer for it; but he believed in a just God, and hoped for his mercy. Mr. Burbidge asked him whether he was then willing to tell what he had done with the trunk of the body. The prisoner replied, "I know I shall suffer, and as there is a just God, I burnt the whole of it. It is the truth. I am sure to suffer, and it is no use telling stories. I have entirely destroyed the body, but how I did it I can hardly tell. It was all burnt." Mr. Burbidge asked when he burnt it. He replied, in the course of the Wednesday night. Mr. Burbidge then asked how he did it, and he replied that he cut it up into fragments, and so placed them on the fire. Mr. Burbidge told him that he had been informed by surgeons that it would be impossible for him to destroy the lungs by an ordinary fire. The prisoner, in a composed but melancholy tone, replied, "Ah, Sir, they never tried the experiment!" Mr. Burbidge next observed that he was given to under-

stand that it was impossible to destroy the intestines by fire without their causing a stench that would be smelt all round the neighbourhood. The prisoner, in answer, said, "I know nothing about that, Sir; it was a very stormy night, and a great deal of rain fell; perhaps these may account for it." Mr. Burbidge asked how he could explain the circumstance of no remains of the bones of the skull or trunk being found? The prisoner replied that they were all burnt so that he could crush them with his foot easily. He added, placing the fingers of his right hand upon the palm of the left, "I could smash them thus." Mr. Burbidge asked how he could think of such a horrible mode of disposing of the body? The prisoner answered, "What was I to do with it, Sir? The dreadful deed had been committed, I must get rid of the body some way, and I had no other mode of disposing of it." Mr. Burbidge observed to him, that if he cut up the body as he had stated, a great flow of blood must have taken place, and yet there were very few marks of blood on the floor—how did he account for that? In answer the prisoner said he had first strewn the floor thickly with hay and straw, which he afterwards collected together and burnt.

Mr. Burbidge afterwards asked him why, after disposing of the greater part of the body gradually, and when what remained was not likely to be identified, he made up the huge fire on Thursday, which he might be sure would be observed by the neighbours? The prisoner said his state of mind then was such that he hardly knew what he did, and that he did not care

whether he was apprehended or not.

He was brought to trial on the 8th of August; having in the mean time been converted into a saint, and become an object of warmly cherished interest to the religious sisterhood. After the officer had got through about two counts of the indictment, the prisoner, whose mind appeared to be wholly abstracted from what was passing around him, drew forth a small, neatly bound volume of religious exercises, from his left hand waistcoat pocket, and very deliberately commenced reading it, which he continued to do until the officer had finished reading the indictment. When asked the usual question—"How say you, are you guilty, or not guilty, of this murder?"—He replied in a subdued but firm voice—*Guilty*.

Judge.—Prisoner, are you aware of the consequence of what you are doing? Do you plead guilty advisedly?

Prisoner.—I do, my lord.

The learned judge paused for a few minutes, and then said, "Prisoner, I ask you again, do you still persist in your plea?"

Prisoner.—I do.

The plea was then recorded; sentence of death was passed; and the murderer died the death of infamy, as cool and unappalled, as if he had been a martyr sacrificing himself for his country or the human race.

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#### CIRCUIT COURT OF JUSTICIARY STIRLING.

#### *Trial of Margaret Robertson for the Murder of her Daughter.*

Margaret Robertson, or M'Ansh, or Thomson, accused of murder.

ing her own daughter, was put to the bar. The prisoner, a poor wan-looking creature, upwards of fifty, continued, throughout the trial, to notice the proceedings, without betraying much interest. The indictment charged her with having, within the house of her husband, Duncan M'Ansh, or Thomson, situated in the village of St. Ninian's, and on the night of the 16th or morning of the 17th of July, inflicted a mortal wound on her daughter's throat with a razor or other lethal weapon, so as to cause her daughter's death. The prisoner, in a firm voice, pleaded not guilty.

Margaret M'Ewen, or Welsh, resides in the village of St. Ninian's, and lives in the flat below the prisoner. Was intimate with Janet M'Ansh, the prisoner's daughter. On Tuesday morning, the 17th of July, she heard of Janet's death. Had heard nothing in the prisoner's house, during the night. The flooring was so thin, that she would have heard any one walking above her, if she had not been sleeping. Prisoner came down and rapped at her door, and at the door of a Mrs. M'Donald, who lives on the same floor with witness. The prisoner said nothing, but rapped, when witness said to her husband, "Sandy, she'll be gone." She said this, because Janet was very weakly the night before. Witness rose, and took her petticoat and threw it over her arm, and ran up stairs. Heard the footstep of the prisoner going up before her. When witness went in, the prisoner was going through the house, wringing her hands, and crying. She was the only person in the house, except witness. Witness went to Janet's bedside, and took her by the hand and said,

"O! my lassie, are you gone." Thought the deceased's lip quivered, after witness took her by the hand. There was a little moderate heat in her hand, but not much. This was between four and five o'clock, and there was light in the room. The deceased was lying on her left side edged up a little, with the clothes up about her head, and her right hand down by her side. The bedclothes were drawn up about her throat, which was covered. Observed blood on the floor, before the bed, and ashes covering it, but, at that time, there was no appearance of blood about the bedclothes. Afterwards saw blood on the clothes when the deceased was taken out of bed. Saw no marks of blood about the top of the bed; but, on seeing the blood, witness said to the prisoner, "Margaret, what blood is this?—surely some blood vessel has burst within her." Prisoner answered, "I dinna ken, I dinna ken; she asked a razor to pair her nails; did you no hear any noise—did you no hear her in the night time?" Prisoner said nothing else, to witness's recollection. Cannot recollect whether the prisoner said that she had given the deceased the razor or not. Witness was only about a minute or two alone with the prisoner before Mrs. M'Donald, who had stopped to put her clothes on, came in. Had no other conversation with the prisoner at that time. Mrs. M'Donald, and James Forsyth, who live on the same flat with the prisoner, then came in; and it was arranged that James Forsyth should go to tell the deceased's father, and get some assistance to straight the corpse. Mrs. M'Donald went for Mrs. Dick, to dress the corpse, and witness was left alone for a

minute or two with the prisoner, but had no conversation with her. Witness then went to Mrs. Dick's; and, when Mrs. M'Donald and Mrs. Dick went to Mr. Knox's to get some clothes to wrap the body in, witness said, "she'll be wearying, puir body, beside the corpse," and went back. Witness might be five minutes with the prisoner before Mrs. M'Donald and Mrs. Dick returned. Had no conversation with the prisoner, but the prisoner said, that she had gone to bed and fallen asleep, and that she awoke in amaze, because her daughter, who had a troublesome cough, was not coughing. Mrs. Dick and Mrs. M'Donald came back with an old shirt and some cloth to sweel the body in, which they laid down upon a chest. Mrs. Dick then said, "we'll no be the waur of a glass o'whisky before we begin;" when the prisoner went out for some whisky. They each had a glass. Mrs. Dick who had her child with her, then gave the glass to the prisoner, and they proceeded to uncover the corpse. Mrs. M'Donald took the feet, Mrs. Dick the shoulders, and witness stood by the head, but did not touch the body. They then lifted the body, and laid it on the bed-cover, which they had previously spread out on the floor. Mrs. Dick asked for a pillow, and witness brought the only pillow which was in the bed, and it was all bloody. At this time the head had fallen back, and Mrs. Dick said, "You stupid blockhead take hold of the head." The body then rested on the floor, and Mrs. Dick keeked in below to untie the knot of the deceased's cap to get on a clean one, and then called out, "ye auld highland limmer or bitch, ye've cut your daughter's throat." When

witness saw the black hole in the deceased's throat, she became feeble and insensible. It was not like a cut, but as if a piece had been pulled out of it. Witness was helped down stairs by her husband. Witness had supposed that the deceased had died a natural death till she saw the wound in the girl's throat. The last time she had seen the deceased alive, was between ten and eleven o'clock the night before, when she had whispered to witness to get a little spirits laid at her head in the night time, so that she might take a drop of it. She was then in bed and very weakly. Witness had carried her in her arms to bed about eight o'clock. She had been sitting at the fire on a chair. Witness took her as if she had been a child, and laid her down. She had desired witness to help her to bed. The deceased was still in bed between ten and eleven o'clock; but the prisoner was up, and had come and met witness at the door. Witness had taken a tankard of milk with her for Janet, and said to the prisoner, "Margaret, try and get something for that poor dying girl," to which the mother answered, "I have nothing, and can get nothing for her." The deceased was from twenty to twenty-five years of age. She used to knock on the floor for witness to come up, when she wanted food, or milk, or assistance. She was in a heavy and heartless state of mind, and had sore trouble. The deceased's body was lying in the same way in the morning, as witness had left her the night before. As witness paid great attention to the deceased, the girl said, "I'm always happy when you're in my sight." She said so that night. Witness was not sur-

prised at hearing of her death. She had been at service, and had left her service about six weeks before Whitsunday, and had been at home from that time till she died. It might be about eight weeks after Whitsunday when she died.

Cross-examined.—The prisoner and her family were in great want; her mother was kind and attentive to her. The right hand was uncovered in the morning when witness saw the body.

By the Court.—Deceased once said to witness, "O Peggy, I wish I was out o' this weary pine." Understood from this that she wished to be out of the world.

Mrs. M'Donald corroborated the preceding witness.

Mrs. Dick was sent for to the prisoner's house, a little after four o'clock, on the morning of the 17th of July; witness gave her child to the prisoner, and took the bedcover and laid it on the floor. After the corpse was laid out, witness said, that it was necessary to sweel up her chafts. Took hold of her cap and saw a hole in the deceased's throat, and said, "Lord have a care o' me, what a hole in her throat!" The prisoner then came forward, and clapped witness on the left shoulder and said, "Never speak about it." "Lord have a care o' me!" witness said, "have you cut your daughter's throat?" But the prisoner never spoke. Witness then clasped her hands and said, "Bodies she has just done it!" when they ran out of the house, and witness took her child out of the prisoner's hands and followed them. The prisoner came to the stair-head and cried, "Dinna expose me," to which witness replied, "Expose ye, ye murderin' limmer, ye shall be ex-

posed." At the bottom of the stairs, both Macdonald and Welsh were holding their wives, and the prisoner came down, within three steps of the bottom of the stairs, and begged them to come up and not to expose her. The others wished witness to stop, but she said, that she would not stop with a murderin' slut, like the prisoner. Witness alarmed the neighbours, got assistance, and went up stairs; the prisoner came up a little afterwards; when witness and another woman were going to dress the corpse, the prisoner went and brought a table, and put it before the bed-side, and said, "there was where I placed the table, and put the razor upon it, to pair her nails." This was the first time witness heard the prisoner speak of the razor. The razor was not got before she went. The prisoner said the girl had done it, and that she was not to blame. When witness first saw the body, one hand was below the deceased's head, and the right hand lying across the body, but below the clothes, which were pulled up to her chin. There was a little blood on the back of her right hand, and her left hand and arm were covered with blood. Her breast was clean, and only a spot on the back of the right hand. Witness thought the deceased had died a natural death, and had vomited the blood till she saw the wound. The deceased had been in witness's service a few weeks in harvest. Saw her last in the garden about Whitsunday. She was very weak, and holding by the door. She was sore wasted, and her legs were swollen as far up as the knee. The corpse was very light. A child of three or four years of age would have been as heavy.



Mr. Anderson, Surgeon, was sent to inspect the body of Janet M'Ansh; made a report along with Mr. Johnston, which was produced. It went to say, that they found a wound in the girl's throat, which divided the carotid artery and the trachea, and in their opinion caused her death. The deceased was much emaciated by disease, and it would have required considerable strength to have inflicted the wound. Thinks a person might have inflicted such a wound on herself, but it would have required considerable force. If the person had done it herself, blood must have flowed immediately, and the hand been drenched in blood. Death would follow almost immediately. The wound might have been inflicted lying in bed. If lying on the left side, that part of the body immediately under the ear must have been exposed. Does not think the person could have retained consciousness long enough to have drawn the clothes up about her. The razor must have either been convulsively retained in the hand or dropped. It is possible, though not probable, that a person so weak, as with difficulty to lift a cup to her head, might have inflicted the wound.

Mr. Johnston, Surgeon, gave evidence to the like effect, and stated, that it would have required more strength to have inflicted the wound than could be exerted by a person, who could with difficulty carry a cup to her head.

The prisoner's declaration was then read, in which she stated that she was about fifty years of age; that the deceased was about twenty-two years of age; that she and her daughter were alone in the house; that her daughter was in very bad health and in low spirits; that the deceased asked for a razor to pair her nails, but the pannel did not give it; that the razors were in an open drawer; that the pannel went to bed, and fell asleep, and that when she awoke, she found her daughter at the head of the bed, with blood about her, and a razor on the table. Saw she was dead, but did not see that her throat was cut, till her neighbours came in. She drank no spirits that night, but her daughter had two glasses of wine.

Lord Moncreif summed up the evidence, and charged the jury. After an absence of above half an hour, they returned, and gave in a verdict, finding, by a plurality of voices, the libel Not Proven.

# PUBLIC DOCUMENTS.

## I.—DOMESTIC.

### LORD GODERICH'S DESPATCH *to the GOVERNORS of COLONIES.*

*Downing-street, Dec. 10, 1832.*

SIR,—I have the honour to enclose to you herewith, for your own information, and for that of the legislative bodies of the colony under your government, a copy of an amended order made by his majesty in Council on the 2nd ult., for improving the condition of the slaves in British Guiana, Trinidad, St. Lucia, Mauritius, and the Cape of Good Hope. The grounds upon which his majesty's confidential servants have felt it their duty to advise the making of this order, and the views by which they have been guided in resisting the opposition made to several of its provisions, are fully set forth in a circular dispatch which I addressed to the governors of the above-mentioned colonies on the 5th ult.; and I enclose certain printed papers which have been presented to the House of Commons by his majesty's command, wherein you will find a copy of that document, as well as of others relating to the Order in Council. The further object of my present despatch is to enable you, at the same time that the measures in favour of the slaves, which have been thus enforced in the crown colonies, are brought to the knowledge of the council and assembly within your government, to communicate also to those bodies

the course which his majesty's government have resolved to adopt, with a view to induce the extension of those measures to the colonies having local legislatures; and it is my anxious desire, not only that the intentions of his majesty's government should be made known to the legislative bodies at the earliest possible moment, but that our motives should be fully explained to them. I am most desirous to satisfy them, if not that our measures are, as we consider them, necessary for the well-being of the slaves, at least that they are dictated by a conscientious sense of duty. I am anxious to convey to them an adequate impression of the necessity which exists for us to take at length some effective step towards the redemption of the pledges given, with the concurrence of the West-India body, in 1823, and of the solicitude which we have felt to consult the interests of the planters simultaneously with those of the slaves, and to accomplish by such means as should be the least unacceptable to the owners of West-India property, an object which it has become impossible to postpone without compromising the dignity and consistency of the imperial legislature, and occasioning danger to all parties concerned.

When I look back in the records

of this department to the many earnest appeals upon this subject which have been addressed, since the year 1823, to the reason and discretion of the colonial legislatures, it may well seem superfluous to observe, that nothing has been further from the wish of those who have successively administered the affairs of this country since that period, than to have recourse to any measures of a coercive character. The circular dispatches which were written from year to year, repeating the expression of hopes which had been in no instance fulfilled, and of confidence which has not been justified, evince with what extreme reluctance the ministers of the crown have been compelled to relinquish the expectations which were originally entertained, that effectual measures for the improvement of the condition of the slaves should be at length spontaneously adopted by the colonial legislatures. The despatches which have been written to point out in detail the defects of such laws as were enacted in alleged fulfilment of the wishes of his majesty's government, or in partial compliance with them, bear further testimony to the patient and persevering endeavours which have been made by his majesty's government to impress upon the several councils and assemblies the necessity which existed for satisfying the feelings entertained in this country in favour of the slaves, and the inadequacy of their legislation to effect that purpose. If his majesty's present advisers have resolved to pursue no further this course of warning and entreaty, it is not that they are in any degree less anxious to conciliate the goodwill, whilst they consult the real interests, of the colonists, but only because they feel that the language

of admonition has been exhausted, and that any further attempt to produce an impression upon the legislatures by the same means alone, could add nothing to the respect of those bodies for the authority of the crown, whilst it would be in vain to expect that it could contribute any thing to the accomplishment of the object in view.

His majesty's government had thus before them the alternative either of proposing some measures of a stronger character than mere injunction, or of desisting altogether from the promotion of an object to which parliament is not less justly than solemnly pledged, and the postponement of which is tending more and more every day to precipitate a powerful party in this country in the opposite extreme, and to produce dangers which, however ill they may be understood in a distant quarter of the world, no one, who is conversant with the influence of public opinion in this country, and the direction of it upon the subject of slavery, could fail to see.

At the same time that this alternative presented itself, the increasing commercial distress of the West-Indian interest could not but attract the most anxious and painful attention of his majesty's government. Deeply as they have regretted the opposition of the colonists to their measures in favour of the slaves, neither that opposition, nor any thing that was ill-judged and intemperate in the manner of it, has prevented his majesty's government from entertaining the strongest feelings of sympathy and compassion for the distress under which all persons connected with West-Indian property are indiscriminately suffering. His majesty's

government were thus scarcely more anxious to secure the adoption of their measures for the protection of the slaves than to find means, not incompatible with that object, of relieving the planters from some portion of their commercial difficulties. In this view, as well as from its importance to the interests of humanity, it has been peculiarly gratifying to his majesty's government to have been enabled to conclude a convention with France, which promises more than any other practicable measure to repress the foreign slave-trade; and this, at the same time that it militates against the dreadful atrocities of that traffic, will give some check to the competition of foreign sugar growers, so far as it is promoted by such iniquitous means. A measure of fiscal regulations, so devised as to be productive of real and substantial relief, has appeared to be the only additional method within the power of his majesty's government to propose, which would in some degree meet the exigencies of the West-India commercial interests; but to offer such an advantage to the planters without at the same time taking any security for their acceptance of the measures in behalf of the slaves, would be, if not directly inconsistent with the parliamentary resolutions of 1823, at least an abandonment, and even reversal, of the policy of the executive government resulting from those resolutions. On the 16th of March, 1824, the late Mr. Canning announced, in his place in parliament, the several modes of giving effect to the resolutions of 1823, which were successively to be tried, for the purpose of overcoming the resistance to them, which, it had appeared from the experience of the preced-

ing year, was to be expected from the colonial legislatures. He pointed out the course of authoritative admonition, as the most eligible in the first instance; and, should that be unavailing, he adverted to the means which parliament possesses of constraining the colonies by fiscal regulations and enactments adverse to their navigation, as preferable to a more direct application of the powers of parliament, of which more direct exercise of power, he nevertheless declared the necessity, should all other means fail. The course of authoritative admonition has been pursued for eight years, and has been, as I have already observed, utterly unsuccessful. Advice, again and again tendered to the colonial legislatures, has been but little listened to in any of the colonies, and, in some of the most important and considerable, has been more than once rejected without even the forms of respect. Ceasing, therefore, to entertain hopes that their admonitions will ever prove efficacious, it might perhaps be expected of his majesty's government to propose at once to parliament the second mode of operating upon the legislature, which was contemplated by Mr. Canning. But to use any endeavour to "harass the colonies by fiscal regulations," in their present circumstances of distress, would indeed be most repugnant to the feelings of his majesty's government. They could not, at this moment, nor until a less painful experiment should have been tried, reconcile it to those feelings which the sufferings consequent upon commercial adversity must always excite, to propose any measures to which a character of unmixed severity could be attributed. Whilst, however, their feelings of concern

for the difficulties of the West Indian proprietors and merchants withhold them from originating any measure in which their interests should not be considered, they are not less powerfully withheld, by a sense of their duty to the great cause of slave melioration, and by a consciousness of the obligations under which the government of this country has been placed by the resolutions of Parliament, from propounding any measure of indulgence to the planters in which the interests of the slaves should be lost sight of. To propose a measure of fiscal relief, to take effect before the object of the parliamentary resolutions should be secured, would be a manifest dereliction of the only course of policy, short of the direct application of power, through which there has ever been a prospect of redeeming the pledges contained in those resolutions. Such being the position of the question, and such the obligations incumbent upon his majesty's government, it only remained for them to combine the two great objects which they had to effect in a single measure, and thus to make the one contingent upon the other.

I have therefore to announce to you the fixed determination of his Majesty's government to propose to Parliament, in the present session, and so soon as the details of this, in common with their other financial operations for the year 1832 can be arranged, a measure of substantial relief to the West-India interests, and that this measure will be so framed as to take effect upon the produce of the crown colonies as a matter of course, and upon that of those only of the other colonies in which the provisions, in their precise terms, and in their entire extent, of his Majesty's order in

council of the 2nd ult., for improving the condition of the slaves in British Guiana, Trinidad, St. Lucia, Mauritius, and the Cape of Good Hope, shall have acquired, in perpetuity, the force of law. It cannot be too distinctly explained, that the measure to be submitted to Parliament will be so framed that the indispensable condition of receiving the consequent benefit will be the fact of a statute having passed the colonial legislature, simply, and without qualification in terms, or limitation of time, declaring the order in council to possess the force of law in the colony.

The language here used is by no means needlessly strict. The motives and sentiments of his majesty's government would be much mistaken, were it to be conceived, that in making the terms of the proposed alternative thus definite and precise, they had been actuated by any spirit of peremptory dictation. The whole efficacy of a law depends upon verbal distinctions, and minute accuracies of expression. To leave the choice of the words to any body of men, is to place the substance and essence of the law at their discretion. To do this, would be nothing less than to resume, and continue, the fruitless correspondence of the last eight years, upon the terms of colonial slave acts. An interminable controversy would arise between his Majesty's government and each of the legislative colonies, as to whether the required amendments in the laws relating to slavery had or had not been enacted; and his Majesty's government would be called upon to discharge the invidious and even impracticable office of determining constructively upon the words of thirteen different codes, while upon their decision it

would depend to which of as many colonies the benefit provided by Parliament should be dispensed, and to which it should be denied, Even if such a revision were possible, the experience of eight years has now placed beyond the reach of all rational doubt the fact, which, independently of such experience, might have been anticipated, that laws framed in the colonies, and passed by the colonial assemblies, for the improvement of the condition of slavery, are deficient in that quality without which all such legislation must be nugatory. The compilation of acts passed during that period, by thirteen different assemblies (with the exception of a few enactments passed in some of the smaller islands on the subject of slave evidence, and of an act of Grenada respecting the legal presumption in favour of freedom), does not contain a single statute which carries within itself any reasonable security for the faithful execution of its provisions. I am willing to give to the colonial legislature the same credit for upright intentions which is claimed for those who discharge corresponding functions in this country. But I should sacrifice truth to an unmeaning and ill-timed compliment, were I to attribute to the members of those bodies that freedom from prejudice, and dispassionate self-possession, on the subject of slavery, or that skill in the technical business of legislation, without which the most honest intentions are totally inadequate to the production of an effective law. Moreover, the opinion of the assemblies has been too distinctly and repeatedly expressed, to leave it doubtful what would be the result if the task of reconstructing the order in council were referred to them, instead of

the option of unconditionally adopting or absolutely rejecting it.

You will lay this dispatch, and its enclosure, before both branches of the legislature in the colony under your government, and I shall await, with feelings of deep and anxious interest, the result of the proposals here made. Should they not meet the views of the legislature, his Majesty's government will have more than one cause for the most serious concern—they will then have to regret, not only the temporary postponement (for more than temporary it cannot be) of the benefits which are intended for the slaves, but the failure also of their efforts to renew the prosperity, or mitigate the distress, of the planters; and, above all, they will have to deplore the continuance, on the part of the West-Indian colonists, of that insensibility to the influence of public opinion in the mother country, by which they are daily bringing themselves more and more within the danger of calamities far more grievous than any which can be caused by commercial reverses, and of disasters from which it may be beyond the power of any government to protect them.

I have, &c. &c.

(Signed) GODERICH.

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#### COLONIAL DEPARTMENT.

*Downing-street, Feb. 22.*

The following communication from the governor of Jamaica was received at this office:—

*King's-house, Jamaica, Jan. 6.*

My Lord,—I have a painful duty to discharge, in detailing to your lordship the substance of accounts I have received, by which



you will learn that an extensive and destructive insurrection amongst the slaves in the western district of this island has followed a season of unusual sickness and distress, and that I have felt myself compelled to resort to the most active measures, even that of proclaiming martial law, to arrest the progress of so great a danger.

It was not until Thursday, the 22nd ult., that I received any accounts to excite alarm. The apprehensions which appeared to disturb the public mind during the summer had nearly subsided. The planters complained of poverty and distress—the delegates sent forth an ambiguous declaration, deprecating (as they expressed themselves) “the insidious attempts to undermine and render valueless what little remains of their property”—but the brink of danger on which they stood formed no part of their deliberations.

On the 22nd of December, I received a despatch from colonel Lawson, a magistrate, and commanding the St. James’s regiment of Militia, dated the 20th, stating, that on the Friday preceding he met the overseer of Salt Spring estate, who informed him that on the previous day the negroes had behaved with great insolence to Mr. Grignon, the attorney or chief manager of the estate; that two constables, who had been sent to convey the ringleaders to Montego-bay, had been assaulted and deprived of pistols, with which they were armed, as well as their mules, and that the negroes had expressed their determination not to work after New Year’s-Day. Mr. Grignon having repaired to Montego-bay, a special session of magistrates was assembled, when he and other

persons employed on the estate gave information of the circumstances which had occurred, and of the riotous and disorderly state of the slaves; in consequence of which an order was issued by the magistrates to major Coates, as the nearest field-officer of militia, to send a detachment of the St. James’s regiment to Salt Spring estate, for the purpose of restoring order. Major Coates immediately communicated the directions he had received to colonel Lawson, commanding the St. James’s regiment, and who, anxious to avoid the necessity of having recourse to the militia, and being for many years well known to the negroes of the estate, delayed the detachment from marching, and, accompanied by Mr. Tharp, a neighbouring proprietor, proceeded to the estate in the hope, by his influence, to prevail on the negroes to return to their duty. He found the negroes assembled in groups about the buildings on the estate, and was informed that the senior book-keeper had suffered ill-treatment, and that his life had been threatened. He endeavoured to expostulate with the negroes, telling them he came as their friend, and asked them to listen to him; they would not, however, suffer him to approach them, and walked off; and finding all his endeavours to restore order ineffectual, he left them. Soon after, a party of fifty men of the militia arrived, when almost every negro on the estate disappeared. The next day they began to return, and when colonel Lawson wrote his despatch the principal offenders only, amounting to six persons, were absent. This conduct of the negroes on Salt Spring estate, and the in-

formation which the magistrates had received that the negroes on the other estates would not return to work after New Year's-Day, induced the magistrates, assembled at Montego-bay, to forward a requisition to major Pennefather, commanding the 22nd regiment, at Falmouth, to order a detachment to march to that town, which major Pennefather immediately complied with. On the following day I received an application from certain magistrates and inhabitants of the parish of Portland, desiring that a vessel of war might be ordered to Port Antonio, on account of some unpleasant rumours which had reached them of discontent amongst the slaves in that quarter.

Being in Kingston when these accounts arrived, I immediately communicated the information I had received to sir Willoughby Cotton. I applied to commodore Farquhar for a ship of war to proceed to the port of Port Antonio, and, as a precautionary measure, I also recommended that ships of war should be despatched to Montego-bay and Black River, which commodore Farquhar, with his usual promptitude and attention, immediately complied with. I directed circulars to be addressed to custodes of parishes, enclosing the king's proclamation, and also letters to be written to the major-generals of the militia, copies of which (Nos. 1. and 2.) I enclose.

On the morning of the 28th I received a despatch from the custos of Trelawny (No. 3), enclosing one forwarded to him by colonel Lawson (No. 4), containing certain affidavits, copies of which (Nos. 5 and 6), I herewith enclose, and further stating that he con-

tained so convincing of impending danger, that he had determined to assemble the whole strength of his regiment, and referring to me for further instructions. From Mr. M'Donald, the custos of Trelawny, I also learned that he deeply regretted to find a strong spirit of insubordination amongst the slaves. That, on the 23rd instant, the trash-houses on York estate, in Trelawny, had been purposely burnt down, and that the attorney, who lives on the property, was strongly impressed with the idea that they intended to burn the rest of the works. One company of militia was ordered to proceed to this estate, but before they arrived the negroes had cut down the plantain walk belonging to the overseer, and both men and women had fled.

It happened that I had convened a council on the day I received this despatch, for the purpose of enabling me to form regulations of quarantine, should such a measure become necessary, by which means an opportunity was afforded me of conferring personally with sir Willoughby Cotton, who came from Kingston for the purpose of attending the council; and being fully satisfied from the information I had received, that nothing but prompt and decided measures would arrest the spirit of insubordination which prevailed so generally in the parishes of St. James and Trelawny, I strongly recommended sir Willoughby Cotton to proceed to Montego-bay with as little delay as possible, taking with him such an amount of force as he might deem expedient, anticipating that his immediate presence would produce the most favourable effect. Sir Willoughby Cotton readily ac-

quiesced in my proposal, and the following day he embarked on board his majesty's ship Sparrowhawk, with two companies of the 84th regiment.

On Thursday, the 29th, I received various despatches by post, the substance of which I enclose (No. 7), which I lost no time in communicating to sir Willoughby Cotton, and immediately issued the accompanying M. G. O. (No. 8.) On the same day, at 5 p. m., despatches arrived by express, containing still more alarming accounts of the state of the country. The work of destruction had begun, and fires had been seen both in St. James's and Trelawny, to blaze the preceding night, in various directions. The custos of Trelawny stated, that in his opinion nine-tenths of the slave population had refused to turn out to work, and colonel Lawson, instead of being able to oppose these excesses, had drawn in his regiment to Montego-bay, and even there appeared to feel apprehension, acting only on the defensive. Not waiting to detail this information in a letter to sir Willoughby Cotton, who, on account of the regular winds which prevail in this latitude, could not leave Port Royal until the following morning, I immediately despatched captain Ramsey, 77th regiment, my military secretary, on board the Sparrowhawk, with the letters I had received, not doubting that, on their perusal, sir Willoughby Cotton would deem it advisable to order a stronger force to follow him. By this means also I communicated to sir Willoughby Cotton my intention to convene a council of war, according to the 50th Geo. 3, ch. 17, cl. 74, on the following day, for the purpose of

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submitting to them such information as I possessed on the state of the country, in order to obtain their opinion on the necessity of declaring martial law. The next morning (the 30th) sir Willoughby Cotton, with the detachment, embarked on board the Sparrowhawk, sailed from Port Royal for Montego bay, and on the following morning, his majesty's ship *Blanche*, commodore Farquhar, proceeded on the same destination, conveying 300 men from the 33rd and 84th regiments, and 16 artillery soldiers, with two 8 field-pieces, rockets, &c.

I did not come to the resolution of assembling a council of war, for the purpose before stated, until I had thoroughly satisfied my mind that the immediate exigency admitted no middle measures, that, more than any thing else, it would remove an impression, which had been made on the minds of the slaves, that the executive government and the king's troops would not oppose them. That speedy example, however greatly I must regret and deplore the necessity of resorting to it, could alone stay the destruction that had begun, and ultimately save a greater effusion of blood, and likewise, that under martial law alone I could obtain complete control over the militia force, on whose services I must chiefly depend to put down this rebellion.

By the 72nd clause of the act above referred to, your lordship will find the form directed for holding councils of war, and that no council shall consist of less than 21 members: on this occasion 36 persons were present. I communicated to them such information as I possessed, and laid before them the letters I had before transmitted by captain Ramsey to sir Willough-

by Cotton, copies of which (Nos. 9, 10, 11, 12, 13, and 14,) are enclosed; and in conformity with the unanimous opinion of this numerous council, on the 30th instant martial law was forthwith proclaimed. No time was then lost in issuing general orders, directing the St. Ann's Western regiment to assemble at Rio Bueno, the Clarendon regiment on the confines of Trelawny, the Westmoreland and Hanover regiments on the confines of St. James, whereby I endeavoured to cut off all communication between the disturbed districts and other parts of the island with a force ready to act under sir Willoughby Cotton on his arrival at Montego-bay. At the same time I addressed a private communication to sir Willoughby Cotton, a copy of which (No. 15) is herewith annexed.

Accounts arrived on the 31st of December from Maurice Jones, Esq., custos of the parish of Portland, the north-east extremity of the island, stating that the negroes on three estates had refused to work, and had betaken themselves to the woods. It is somewhat remarkable, that this same gentleman, a few days previous, on learning that a man-of-war, as I have before informed your lordship, had sailed for Port Antonio, appeared to consider the application of the magistrates had proceeded from ill-founded apprehension of the hostile disposition of the negroes in that quarter, although he was not ignorant that some excitement remained in the minds of the negroes about their being made free, expressed his regret that such a precaution had been adopted, stating, that he never considered the negroes in that neighbourhood to be more peaceable and contented.

In the course of the night a despatch arrived from general Robertson, by which it appeared that the depredations committed by the negroes in the parish of St. James had extended along the great river towards the parish of St. Elizabeth, and that the estate of Ipswich had been threatened. The officer commanding the Westmoreland regiment had posted two companies at an estate called Haddo, and orders were given for the St. Elizabeth's regiment to hold themselves in immediate readiness. Further accounts from general Robertson informed me that "the rebels were proceeding in the direction of Ipswich and New Savannah, and that he had moved a large body of men to oppose them." The following day he communicated to me the destruction of Ipswich estate, with several others, and thus concludes:—"I am of opinion that all the force in my district is unequal to suppress the incendiarism and destruction, without the co-operation of regular troops." At this time general Robertson was not aware that sir Willoughby Cotton had proceeded with a force of troops of the line to Montego-bay. Fifty men of the 77th regiment, under the command of Major Wilson, with a supply of arms and ammunition, were embarked on board his majesty's ship *Rose*, and proceeded on the 3rd instant, to Black River. On the 3rd of January I received another despatch from general Robertson, enclosing the deposition of an overseer, who had been eight days a prisoner of the rebels. A copy of this document, and of general Robertson's despatches (Nos. 16, 17, and 18), are also enclosed. The loss which the rebel negroes sustained at Ginger-hill, I have every reason to

hope may check the depredations committed in that district. But I thought it proper to issue the accompanying proclamation (No. 19.)

On the 3rd instant, I received a despatch from sir Willoughby Cotton, informing me of his arrival at Montego Bay, as well as the troops embarked on board his majesty's ship *Blanche*. I shall not curtail the impression the major-general has transmitted to me by making extracts from his despatch, I therefore enclose it. (Nos. 20, 21, 22, and 23.)

On the morning of the 4th, I received unfavourable accounts from Portland, especially from Mr. Panton, a magistrate and proprietor in that parish, whose letter (No. 24) I enclose. Mr. Panton appears to have laboured under feelings of much alarm. I had, however, anticipated the necessity of checking any insubordination which might appear in that quarter, having assembled the Portland, St. George, and St. Thomas-in-the-East regiments of militia before his letter arrived. Forty men also of the 77th had been conveyed in the boats of the *Champion* from Port Antonio to Manchioneal, under the command of captain Buchan; and colonel M'Leod, also in the absence of sir Willoughby Cotton, commanding at Kingston, had ordered captain Tathwell, with thirty men of the 33rd regiment, embarked on board of his majesty's ship *Hya-cinth*, to proceed to Morant Bay, and from thence to march through a populous, and as yet a tranquil, district, where, however, the St. Thomas-in-the-East regiment were assembled, to Manchioneal.

The appearance of this force will, I trust, be sufficient to check any disposition to revolt in that quarter. It is obvious, however, from all the

information that has been received, that the negroes have been impressed with a general and firm belief that after Christmas they were to be free. They will have much to answer for who have deluded these unfortunate people into expectations which have led to such scenes of devastation and ruin, and which now recoiling on themselves, numbers must expiate by their death. My chief attention, therefore, is directed to maintain good order where quiet still remains, to protect the well-disposed, and to be always prepared to assemble a strong disposable force, ready to act on the first appearance of insubordination.

To give greater efficiency in the direction of all military affairs in this part of the island, I have given colonel M'Leod, deputy adjutant-general on the staff in this island, the rank of lieutenant-general of militia, whereby I obtained the assistance of an able and experienced officer, and extended his command over the militia, as well as over the troops of the line.

I also received despatches from Montego Bay, dated the 3rd inst. (No. 25). I have the honour to enclose a copy of one from sir Willoughby Cotton, whereby it appears that the burnings still continued to be executed in concert, by signal from the heights. That the leaders who had suffered the day preceding had all declared that they had been told by white people that they were to be free at Christmas, and that by these people the plan of insurrection had been arranged. That in concurrence with the custos of the parish (Mr. Barrett), prisoners to the amount of 100, not actually implicated as incendiaries, with the women, had been dismissed into the country;



with copies of the proclamation before alluded to, numbered twenty-one.

A despatch was also received from the custos of St. James, of which I enclose an extract (No. 26). He speaks highly of the conduct of the militia; but, I lament to say, adds to the list of destruction contained in list numbered twenty-three intimating the number of plantations and settlements destroyed to the amount of 100.

From Morant Bay I received a letter from colonel Delpratt, enclosing a despatch from lieutenant-colonel M'Cornock, of the St. Thomas-in-the-East regiment, containing nothing of sufficient importance here to notice, but by which I collected this important fact, that although the negroes on some estates had refused to work, no act of destruction had been committed in that quarter, with the exception of a trash-house, which had been burned, but not ascertained to have been destroyed by design; at any other time the information would have been sufficient to have created great uneasiness in my mind, but now, contrasting it with what is passing in the west end of the island, I regarded it as rather satisfactory.

On the 5th I received further accounts from sir Willoughby Cotton, dated the 4th, (No. 27) and I am happy to say their contents began to wear a more satisfactory appearance. The active measures he had adopted, together with the proclamation he caused to be issued, he observes, "had produced an extraordinary effect;" the negroes were coming in fast, and a communication opened to Maroon Town; the loss the negroes had sustained created a strong panic, and a move-

ment which the major-general proposed to make the following day, he imagined would stop any further depredations in that neighbourhood. By the same express a letter arrived from the custos of Trelawny, a copy of which (No. 28) is enclosed. I should hardly think it necessary to transmit a copy of this letter from the custos to your lordship, did it not refer to a person of the name of Box, who I am informed is a missionary from the Baptist Society, and who has since been reported in custody in this town. I have caused his removal to Falmouth to be delayed, and have directed a letter to be written to the custos, a copy of which (No. 29) I enclose. I am as yet unacquainted with the charge on which orders were issued for his apprehension at Falmouth; but the information received from the custos renders it, at all events, necessary that he should be for the present detained; motives, however, of prudence and humanity caused me to interpose a delay in hurrying him to trial at a moment when so great excitement must necessarily prevail.

This morning, the 6th instant, I have had the satisfaction to receive a despatch from sir Willoughby Cotton, dated Montego Bay, Jan. 5, 10 a. m., with still more favourable accounts, a copy of which (No. 30) I enclose. Tranquillity, he states, is fast returning in the adjoining neighbourhood, and the negroes coming in from all directions, desiring to avail themselves of the promise of pardon offered in the proclamation. The roads to Lucea and Maroon Town were open, and many proprietors and attornies proceeding to visit their estates. Provisions, he states, are scarce, but being informed of that



yesterday, I caused letters to be written to the mayor of Kingston, and the custos of St. Mary, from whence I have no doubt a supply, if not already, will be quickly sent.

Sir Willoughby Cotton expresses his astonishment I had not been made acquainted with the determination of the negroes not to work after New Year's day. Referring your lordship to my despatch of the 4th of August, I have now the honour to enclose copies of two letters (Nos. 31 and 32) dated the 29th and 30th of July, addressed to custodes of parishes, from none of whom I received unsatisfactory accounts, nor has any complaint reached me of insubordination amongst the slaves, or any disposition to insurrection, although the members of Assembly, from all parts of the island, had only separated, on adjournment, from the seat of government on the eve of the insurrection.

I send your lordship the copy of a letter (B, No. 33) I have this day received from commodore Farquhar, and it is only due to that officer to declare, that, in all my communication with him, he has always afforded me the most active assistance and support in promoting the good of the public service. When it is considered how short a time sir Willoughby Cotton has been in the disturbed district, it is astonishing what effect his presence and example have produced in the minds of the insurgent slaves, whilst the promptitude and decision of his operations, and the exemplary punishment he felt himself compelled to inflict on the most atrocious offenders, have convinced the great mass of the slave population that all further resistance is unavailing; and the colony must ever acknow-

ledge the importance and value of his services.

Were I to indulge my own personal feelings, I might express myself in a manner strongly indicating the consolation and relief I have derived from his energy, and, at the same time, discretion; but in bestowing my humble meed of praise on an officer of such distinction, I fear that I should render myself liable to a charge of presumption in attempting to add anything to a reputation standing on such high ground as that of sir Willoughby Cotton.

I have, &c.

(Signed) BELMORE.

*Right hon. Viscount Goderich, &c.*

No. 1.—(Circular.)

*King's House, Dec. 22, 1831.*

Sir,—His excellency the governor having received intelligence that a disposition to insubordination had manifested itself amongst certain slaves on a plantation in St. James, his excellency no longer hesitates to give every possible publicity to his majesty's proclamation, which the uninterrupted tranquillity that has hitherto prevailed throughout the island had not seemed to render necessary.

I am directed, therefore, to transmit to you printed copies of this proclamation, and his excellency requests that you will cause it to be read to the slaves by the persons in charge of the several plantations in your parish.

I have the honour to be, &c.

(Signed) W. BULLOCK.

*To the Custodes of the several parishes.*

By the KING.—A PROCLAMATION.  
William IV.

Whereas it has been represented

to us, that the slaves in some of our West-India colonies, and of our possessions on the continent of South America, have been erroneously led to believe that orders have been sent out by us for their emancipation; and whereas such belief has produced acts of insubordination, which have excited our highest displeasure; we have thought fit, by and with the advice of our privy council, to issue this our royal proclamation; and we do hereby declare and make known, that the slave population in our said colonies and possessions will forfeit all claim on our protection

if they shall fail to render entire submission to the laws, as well as dutiful obedience to their masters; and we hereby charge and command all our governors of our said West India colonies and possessions, to give the fullest publicity to this our proclamation, and to enforce, by all the legal means in their power, the punishment of those who may disturb the tranquillity and peace of our said colonies and possessions.

Given at the court, at St. James's, this 3rd day of June, 1831, and in the 2nd year of our reign.

God save the King.

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#### REPORT OF THE COMMONS' COMMITTEE ON DRAMATIC REPRESENTATIONS.

1. In examining the state of the laws affecting the interests and exhibition of the drama, your committee find that a considerable decline, both in the literature of the stage, and the taste of the public for theatrical performances, is generally conceded. Among the causes of this decline, in addition to those which have been alleged, and which are out of the province of the legislature to control, such as the prevailing fashion of late dinner-hours, the absence of royal encouragement, and the supposed indisposition of some religious sects to countenance theatrical exhibitions, your committee are of opinion that the uncertain administration of the laws, the slender encouragement afforded to literary talent to devote its labours towards the stage, and the want of a better legal regulation as regards the number and distribution of theatres, are to be mainly considered.

2. In respect to the licensing of theatres, your committee are of opinion, that the laws would be rendered more clear and effectual by confining the sole power and authority to license theatres throughout the metropolis (as well as in places of royal residence) to the lord chamberlain; and that his—the sole—jurisdiction, should be extended twenty miles round London (that being the point at which magistrates now have the power of licensing theatres for the legitimate drama). And as your committee believe that the interests of the drama will be considerably advanced by the natural consequences of a fair competition in its representation, they recommend that the lord chamberlain should continue a licence to all the theatres licensed at present, whether by himself or by the magistrates. Your committee are also of opinion, partly from the difficulty of defining, by clear and legal distinc-

tions, "the legitimate drama," and principally from the propriety of giving a full opening, as well to the higher as to the more humble orders of dramatic talent, that the proprietors and managers of the said theatres should be allowed to exhibit, at their option, the legitimate drama, and all such plays as have received or shall receive the sanction of the censor.

3. Your committee believe that the number of theatres thus licensed (although they might be more conveniently distributed) would suffice for the accommodation of the public, in the present state of feeling towards theatrical performances, and also for the general advantages of competition; at the same time, as theatres are intended for the amusement of the public, so your committee are of opinion that the public should have a voice in the number of theatres to be allowed. And your committee would, therefore respectfully submit to the house, that if a requisition, signed by a majority of the resident householders in any large and populous parish or district, be presented to the chamberlain, praying for his licence to a new theatre in the said parish or district, the chamberlain should be bound to comply with the public wish. Your committee are of opinion, that all abuse in the exercise of the licence thus granted, would be effectually prevented by leaving to the chamberlain the power of applying to the Home Department, for the summary suppression of any theatre which may notoriously have outraged the conditions of its licence, or the rules of public decorum.

4. Your committee would also recommend, that the chamberlain should possess the same power for

the summary suppression of any theatre, exhibiting any sort of dramatic representation without the sanction of his licence; considering, that as the public can procure the licence if it approve the theatre, so any theatre not licensed would probably not be less opposed to the desire of the public than to the provisions of the law.

5. With respect to the licensing of plays, your committee would advise, in order to give full weight to the responsibility of the situation, that it should be clearly understood that the office of the censor is held at the discretion of the lord chamberlain, whose duty it would be to remove him, should there be any just ground for dissatisfaction as to the exercise of his functions. Your committee would recommend some revision in the present system of fees to the censor, so (for instance) that the licence of a song and the licence of a play may not be indiscriminately subjected to the same charge; and this revision is yet more desirable, in order to ascertain whether, in consequence of the greater number of plays which, by the alterations proposed by your committee, would be brought under the control of the censor, some abatement in the fees charged for each might not be reasonably made, without lessening the present income of the licenser.

6. In respect to the exclusive privileges claimed by the two metropolitan theatres of Drury-lane and Covent-garden, it appears manifest that such privileges have neither preserved the dignity of the drama, nor, by the present administration of the laws, been of much advantage to the proprietors of the theatres themselves. And your committee, while bound to acknowledge that a very large

sum has been invested in these theatres, on a belief of the continuation of their legal monopoly of exhibiting the legitimate drama, which sum, but for that belief, would probably not have been hazarded, are nevertheless of opinion, that the alterations they propose are not likely to place the proprietors of the said theatres in a worse pecuniary condition than the condition confessed under the existing system.

7. In regard to dramatic literature, it appears manifest that an author at present is subjected to indefensible hardship and injustice; and the disparity of protection afforded to the labours of the dramatic writer, when compared even with that granted to authors in any other branch of letters, seems alone sufficient to divert the ambition of eminent and successful writers from that department of intellectual exertion. Your committee, therefore, earnestly recommend that the author of a play should possess the same legal rights, and enjoy the same legal protection, as the author of any other legal production; and that his performance should not be legally exhibited at any theatre, metropolitan or provincial, without his express and formal consent.

8. By the regulations and

amendments thus proposed in the existing system, your committee are of opinion that the drama will be freed from many present disadvantages, and left to the fair experiment of public support. In regard to actors, it is allowed, even by those performers whose evidence favours the existing monopoly, that the more general exhibition of the regular drama would afford new schools and opportunities for their art. In regard to authors, it is probable that a greater variety of theatres at which to present, or for which to adapt, their plays, and a greater security in the profits derived from their success, will give new encouragement to their ambition, and, perhaps (if a play is never acted without producing some emolument to its writer), may direct their attention to the more durable, as being also the more lucrative, classes of dramatic literature; while, as regards the public, equally benefited by these advantages, it is probable that the ordinary consequences of competition, freed from the possibility of licentiousness by the confirmed control and authority of the chamberlain, will afford convenience in the number and situation of theatres, and cheap and good entertainment in the performances usually exhibited.

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SECOND REPORT *of the* LORDS' COMMITTEES APPOINTED *to* INQUIRE INTO *the* COLLECTION and PAYMENT of TITHES in IRELAND, AND *the* STATE of *the* LAWS RELATING THERETO, &c.

That the committee have, since they last reported to the House, proceeded to inquire farther into the circumstances attending the payment and collection of tithes in

Ireland, and anxiously to consider whether a mode might not be devised for remedying the defects in the present system, both as affecting the interests of the church

and the tranquillity of the country.

In the execution of this purpose they have not thought it necessary to dwell upon disputed points connected with the origin of a property which has so long been recognized by law, nor to attempt to account for ancient and peculiar usages under which the rights derived from it have been more or less extended in different parts of the same country.

They have thought it an object of greater practical importance to lay before the House, as far as a full and minute inquiry could enable them—

1. The present amount of property claimed or received as tithe, and the relative quantities of land subject to or exempt from that demand by existing law or usage.

2. The nature and degree of inconvenience to the public, as well as of loss and difficulty to individuals, connected with the circumstances of that property.

3. The amendments in the existing state of the law which appear best calculated to obviate, without injustice or public detriment, the objections which have been found to attach both to the past and present system of tithe laws.

I. It appears from the evidence and documents on which the committee can place the greatest reliance, that Ireland contains 14,603,473 statute acres under cultivation, out of which it has been computed (though this calculation necessarily rests upon somewhat uncertain data) that about 1,000,000 are tithe-free, leaving 13,603,473 statute acres to which the composition acts might be applied. There are 1,305 beneficed clergymen, and 2,312 parishes, in 1,505 of which

the provisions of the acts of 1823 and 1824, commonly called the composition acts, have taken effect, leaving 807 in which no composition has been agreed to; thirty-seven of which parishes are city parishes, supposed not to pay tithe, and about twenty more, for other reasons, tithe-free.

II. Although it appears from the concurrent testimony of the witnesses examined, that the payments actually received on account of tithe in Ireland fall now, and probably have always fallen, far short of what might strictly and legally be required; and the demands of the clergy, both as to the amount and the strictness with which they have been enforced, have been generally characterized by great moderation; there is no species of property which it has been so difficult to collect, or the mode of collecting which has caused so much irritation and discontent in the minds of the people. There have been, at intervals, attempts more or less frequent in different parts of the country to resist or evade the payment, and special interpositions of the legislature have occasionally been found requisite to enable the clergy to recover what was due to them. From the payment being required directly from the occupier out of the fruits of his industry, the burthen is conceived to be heavier than it really is; a feeling greatly aggravated by the nature of the process, the difficulty of finding proper persons to enforce it, and the prejudice entertained against them, as well as by the multitude of small payments arising out of various claims and the minute subdivision of lands so peculiar to Ireland.

The amount claimed and received has necessarily fluctuated with the private circumstances and characters of individuals ; and even where the demand has been less than what was due, it has become a source of complaint when compared with the demand of a comparatively smaller amount in an adjoining parish. Unfavourable associations are at the same time created in the minds of the occupiers upon whom the payment of tithes falls in the first instance, especially where a large majority, as is the case in the greatest part of Ireland, are not members of the established church. The clergy are thus, in too many instances, unhappily deprived of that just and beneficial influence which their general conduct and habits so well qualify them to exercise, even over persons of a different religious persuasion.

Many of these evils have been doubtless removed or mitigated by the acts of the 4th and 5th of Geo. 4th, commonly called the composition acts, by which the clergy and their parishioners were enabled, under certain regulations, to agree upon a composition for the amount of tithe for twenty-one years. Of the beneficial effect of these enactments, as far as they have gone, the committee entertain no doubt ; but, as it has before been stated, a proportion amounting to more than one-third of the parishes in Ireland have not yet adopted the provisions of these acts ; and as in those that have, the actual occupiers of the soil still remain immediately liable to the payment, or subject to advance the amount of their respective compositions, which must in many instances be collected in minute sums from a great number

of persons, the same unfortunate contact between the occupier and the clergyman continues to exist, and the tenant is led to forget that, if discharged from the payment of tithe, he would be called upon for an additional rent from his landlord, and to consider that payment not as a charge upon the land but as a burthen upon himself.

The general result has been, that from the defective operation of the system, the tithe-payer has conceived himself to be subject to a degree of pressure far greater than the actual amount of the sum paid by him would create ; while the clergy, who are entitled to the tithe, have reaped a profit considerably less than the sum payable by the occupier of the land, and attended with circumstances no less unsatisfactory and painful to their own feelings than detrimental to the public peace and happiness.

III. For the purpose of removing these difficulties, and as a necessary step towards effecting any great and lasting improvement, it appears to the committee that it would be necessary, in the first instance, to pass an act for making the composition general and permanent, and for the sake of making it general, compulsory, by enabling the lord lieutenant, in all cases where no vestry shall have assembled, or having assembled shall not have taken the necessary measures for a final arrangement before a certain day, to appoint a commissioner in the same manner as directed by the act of 4th George 4th c. 99, and 5th of George 4th c. 63, with full powers to effect an adjustment according to the value of the tithe founded on the average amount payable for the seven years next preceding No



vember, 1830; and, as the whole composition is now proposed to be made permanent, a revision of existing compositions should not be excluded; both compositions, the old as well as the new, to be calculated hereafter according to the variation in the price of corn.

This object once effected, the committee desire to suggest, for your farther consideration, whether it may not be expedient—

1. That laws should be passed for carrying into effect, with as little delay as may be found practicable, an arrangement for charging the landlord with the payment, in the first instance, of the composition for tithes, power being given to him to collect the same as a part of his rent; and a reasonable deduction per cent being made in consideration of the trouble and risk from which the incumbent or tithe owner would be relieved.

2. That, during the period of any delay which may occur in carrying into complete effect the preceding arrangement, commissioners should be appointed on behalf of the church to collect and distribute, with the assistance of government, the amount of the composition in each diocess.

3. That as an additional advan-

tage to the landlord, he should be permitted to redeem such annual charge upon the whole or any portion of his estate, by fixed money payments on advantageous terms, or by conveying, in exoneration of the composition, in whole or in part, lands equivalent in value; and that he should be assisted in so doing by the legislature enabling tenants for life, trustees, &c. to sell, exchange, convey or mortgage for this purpose estates under settlement or belonging to infants, such mortgages to take the precedence of every other incumbrance.

4. That for the purpose of giving greater facility to effect such investments in land for the benefit of the church, or exchanges of land for tithe by individual landholders, it would be desirable that the duty on all stamps necessary for that purpose should be remitted; and it might be advisable, for the sake of giving encouragement to the redemption of tithe in money, that government should be enabled to make advances at a favourable rate of interest, to landlords for that purpose, upon mortgage of their lands; all deeds relating to such mortgages being also exempted from the stamp duty.

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CONVENTION *between* HIS MAJESTY *and the* EMPEROR *of all the* RUSSIAS.

SIGNED AT LONDON, NOV. 16, 1831.

Their majesties the king of the United Kingdom of Great Britain and Ireland, and the emperor of all the Russias, considering that the events which have occurred in the united kingdom of the Netherlands, since the year 1830, have rendered it necessary that the courts

of Great Britain and Russia should examine the stipulations of their Convention of the 19th of May, 1815, as well as of the additional article annexed thereto; considering that such examination has led the two high contracting parties to the conclusion, that complete agree-

ment does not exist between the letter and the spirit of that Convention, when regarded in connexion with the circumstances which have attended the separation that has taken place between the two principal divisions of the united kingdom of the Netherlands; but that, on referring to the object of the above-mentioned Convention of the 19th May, 1815, it appears that that object was to afford to Great Britain a guarantee that Russia would, on all questions concerning Belgium, identify her policy with that which the Court of London had deemed the best adapted for the maintenance of a just balance of power in Europe; and, on the other hand, to secure to Russia the payment of a portion of her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion—arrangements which remain in full force—their said majesties being desirous at the present moment, that the same principles should continue to govern their relations with each other, and that the special tie to which the Convention of the 19th of May, 1815, had formed between the two Courts, should be maintained, have for this purpose named as their plenipotentiaries, viz.:—

(Here are inserted the names of lord Palmerston and of prince Lieven and count Matuszewic.)

Who, after having exchanged their full powers, found in good and due form, have agreed upon and concluded the following articles:—

1. In virtue of the considerations above specified, his Britannic majesty engages to recommend to his parliament to enable him to undertake to continue, on his part,

the payments stipulated in the Convention of the 19th of May, 1815, according to the mode, and until the completion of the sum fixed for Great Britain in the said Convention.

2. In virtue of the same considerations, his majesty the emperor of all the Russias, engages, that if (which God forbid) the arrangements agreed upon for the independence and the neutrality of Belgium, and to the maintenance of which the two high powers are equally bound, should be endangered by the course of events, he will not contract any other engagement, without a previous agreement with his Britannic majesty, and his formal assent.

3. The present Convention shall be ratified, and the ratifications shall be exchanged at London, within the space of six weeks, or sooner, if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 16th of November, in the year of our Lord 1831.

(L. S.) PALMERSTON.

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*Communications between the Agents of the Russian Government and the Commissioners of his majesty's Treasury, relating to the payment of the Russian Loan in Holland, due the 1st of July, 1832.*

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LETTER from MESSRS. HOPE & Co. to C. R. PEMBERTON, Esq., TREASURY, LONDON.

*Amsterdam, May 22.*

Sir,—The annual reimbursement of a part of the capital of the Russian Loans in Holland, being to take place on the 1st of July

next, we take the liberty to transmit to you, as usual, a statement of the sums required for the said reimbursement, showing for the share of Great Britain the sum of 256,250 francs (two hundred and fifty-six thousand two hundred and fifty guilders) to be provided against the said period.

We request you will lay this document before the Lords Commissioners of his Britannic majesty's Treasury, and we have the honour to be, &c.

(Signed) HOPE & Co.

Statement of the sum due by Great Britain, on the 1st of July next, for reimbursement of capital on the Russian Loans raised in this country, viz.—

Sum to be reimbursed on the said Loans, on the 1st July next, for	F.
Capital .....	1,000,000
Interest from the 1st of January, six months, at 5 per cent per ann.	25,000
	<hr/>
	1,025,000
	<hr/>

Being for the quarter  
due by Great Britain 256,250  
HOPE & Co.

*Amsterdam, May 21, 1832.*

LETTER from C. R. PEMBERTON,  
Esq., to MESSRS. HOPE & Co.,  
AMSTERDAM.

*Treasury Chambers, 5th June, 1832.*  
Gentlemen,—I am commanded

by the Lords Commissioners of his Majesty's Treasury to acquaint you, with reference to your letter and enclosure of the 26th ultimo (the receipt of which I have had already the honour of acknowledging), stating the sum due by Great Britain, on account of the Russian Dutch loan, on the 1st of July next, that a new Convention has been entered into with Russia, consequent upon the change in the circumstances of the case relative to the payment, on the part of Great Britain, of her proportion on account of this loan.

By this convention, it is agreed, should the British parliament so think fit, that the payment on account of this loan shall continue to be made as usual by this country; and when the ratification of this treaty shall have arrived from Russia, the convention will be laid before the two houses; but till it has received the sanction of parliament this government has no authority to make any payment under its provisions.

I have, therefore, been directed, by their lordships to apprise you, that it will not be possible for them, for the present, to remit the sums required for the payments which have been heretofore made at that period.

I am, &c.

(Signed) C. R. PEMBERTON.

## II. — FOREIGN.

**CONVENTION** *between HIS MAJESTY and the KING of the FRENCH,*  
*for the more effectual SUPPRESSION of the TRAFFIC in SLAVES.*

SIGNED AT PARIS, NOVEMBER 30, 1831.

**ARTICLE I.**—The mutual right of search may be exercised on board the vessels of each of the two nations, but only within the waters hereinafter described,—namely,

1st. Along the western coast of Africa, from Cape Verd to the distance of ten degrees to the south of the Equator,—that is to say, from the tenth degree of south latitude to the fifteenth degree of north latitude, and as far as the thirtieth degree of west longitude, reckoning from the meridian of Paris.

2. All round the island of Madagascar, to the extent of twenty leagues from that island.

3. To the same distance from the coasts of the island of Cuba.

4. To the same distance from the coasts of the island of Porto Rico.

5. To the same distance from the coasts of Brazil.

It is, however, understood that a suspected vessel descried and begun to be chased by the cruisers, whilst within the said space of twenty leagues, may be searched by them beyond those limits, if without having ever lost sight of her, they should only succeed in coming up with her at a greater distance from the coast.

**II.**—The right of searching merchant-vessels of either of the

two nations in the waters hereinbefore mentioned, shall be exercised only by ships of war whose commanders shall have the rank of captain, or at least that of lieutenant, in the navy.

**III.**—The number of ships to be invested with this right shall be fixed, each year, by a special agreement. The number for each nation need not be the same, but in no case shall the number of the cruisers of the one nation be more than double the number of the cruisers of the other.

**IV.**—The names of the ships, and of their commanders, shall be communicated by each of the contracting governments to the other, and information shall be reciprocally given of all changes which may take place in the cruisers.

**V.**—Instructions shall be drawn up and agreed upon in common by the two governments for the cruisers of both nations, which cruisers shall afford to each other mutual assistance in all circumstances in which it may be useful that they should act in concert.

The ships of war authorized to exercise the reciprocal right of search shall be furnished with a special authority from each of the two governments.

**VI.**—Whenever a cruiser shall have chased and overtaken a mer-

chant-vessel as liable to suspicion, the commanding officer, before he proceeds to the search, shall exhibit to the captain of the merchant-vessel the special orders which confer upon him, by exception, the right to visit her; and in case he shall ascertain the ship's papers to be regular, and her proceedings lawful, he shall certify upon the log-book of the vessel that the search took place only in virtue of the said orders: these formalities having been completed, the vessel shall be at liberty to continue her course.

VII.—The vessels captured for being engaged in the slave-trade, or as being suspected of being fitted out for that infamous traffic, shall, together with their crews, be delivered over, without delay, to the jurisdiction of the nation to which they shall belong. It is furthermore distinctly understood, that they shall only be judged according to the laws in force in their respective countries.

VIII.—In no case shall the right of mutual search be exercised upon the ships of war of either nation.

The two governments shall agree upon a particular signal, with which those cruisers only shall be furnished which are invested with this right, and which signal shall not be made known to any other ship not employed upon this service.

IX. — The high contracting parties to the present treaty agree to invite the other maritime powers to accede to it within as short a period as possible.

X. — The present convention shall be ratified, and the ratifications of it shall be exchanged, within one month, or sooner, if it be possible.

In faith of which the plenipotentiaries have signed the present convention, and have affixed thereto the seal of their arms.

Done at Paris, the 30th Nov. 1831.

GRANVILLE (L. S.)

HORACE SEBASTIANI (L. S.)

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### HOLLAND and BELGIUM.

*TREATY relative to the NETHERLANDS, signed at LONDON, Nov. 15, 1831.*

The courts of Great Britain, Austria, France, Prussia, and Russia, taking into consideration the events which have occurred in the united kingdom of the Netherlands since the month of September of the year 1830, the obligation which they are under to prevent the events from disturbing the general peace, and the necessity which arises from these events of making certain modifications in the trans-

actions of the year 1815, by which the united kingdom of the Netherlands was created and established; and his majesty the present king of the Belgians participating in these intentions of the above-mentioned courts, they have named for their plenipotentiaries, &c. &c. who, after having exchanged their full powers, found in good and due form, have agreed upon and signed the following articles:—

ARTICLE I. The Belgian territories shall be composed of the provinces of South Brabant, Liege, Namur, Hainault, West Flanders,

East Flanders, Antwerp, and Limburg; such as they formed part of the united kingdom of the Netherlands constituted in 1815, with the exception of those districts of the province of Limburg which are designated in article 4. The Belgian territory shall, moreover, comprise that part of the grand duchy of Luxemburg, which is specified in article 2.

II. In the grand duchy of Luxemburg the limits of the Belgian territory shall be such as will be hereinafter described, viz. — Commencing from the frontier of France, between Rodange, which shall remain to the grand duchy of Luxemburg, and Athus, which shall belong to Belgium, there shall be drawn, according to the annexed map, a line, which, leaving to Belgium the road from Arlon to Longwy, the town of Arlon with its district, and the road from Arlon to Bastogne, shall pass between Mesancy, which shall be on the Belgian territory, and Clemancy, which shall remain to the grand duchy of Luxemburg, terminating at Steinfort, which place shall also remain to the grand duchy. From Steinfort this line shall be continued in the direction of Eischen, Hecbus, Guirsch, Oberpalen, Grende, Nothomb, Parette, and Perlè, as far as Martelange; Hecbus, Guirsch, Grende, Nothomb, and Parette, being to belong to Belgium; and Eischen, Oberpalen, Perlè and Martelange, to the grand duchy. From Martelange the said line shall follow the course of the Sure, the water way (thalweg) of which river shall serve as the limit between the two states, as far as opposite to Tingtange, from whence it shall be continued, as directly as possible,

towards the present frontier of the arrondissement of Diekirch, and shall pass between Surret, Harlange, and Tarchamps, which places shall be left to the grand duchy of Luxemburg, and Honville, Liverchamp, and Loutremange, which places shall form part of the Belgian territory. Then, having, in the vicinity of Doncals and Soulez, which shall remain to the grand duchy, reached the present boundary of the arrondissement of Diekirch, the line in question shall follow the said boundary to the frontier of the Prussian territory. All the territories, towns, fortresses, and places situated to the west of this line, shall belong to Belgium; and all the territories, towns, fortresses, and places situated to the east of the said line shall continue to belong to the grand duchy of Luxemburg.

It is understood, that in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the map, which, for the sake of greater clearness, is annexed to the present articles, the commissioners of demarcation mentioned in article 5 shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

III. In return for the cessions made in the preceding article, there shall be assigned to his majesty the king of the Netherlands, grand duke of Luxemburg, a territorial indemnity in the province of Limburg.

IV. In execution of that part of article 1 which relates to the province of Limburg, and in consequence of the cessions specified



in article 2, there shall be assigned to his majesty the king of the Netherlands, either to be held by him in his character of grand duke of Luxemburg, or for the purpose of being united to Holland, those territories, the limits of which are hereinafter described.

1. On the right bank of the Meuse, to the old Dutch enclaves upon the said bank in the province of Limburg, shall be united those districts of the said province upon the same bank which did not belong to the States-General in 1790; in such wise that the whole of that part of the present province of Limburg, situated upon the right bank of the Meuse, and comprised between that river on the west, the frontier of the Prussian territory on the east, the present frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong to his majesty the king of the Netherlands, either to be held by him in his character of grand duke of Luxemburg, or in order to be united to Holland.

2. On the left bank of the Meuse, commencing from the southernmost point of the Dutch province of North Brabant, there shall be drawn, according to the annexed map, a line, which shall terminate on the Meuse below Wessem, between that place and Stevenswaardt, at the point where the frontiers of the present arrondissement of Ruremond and Maestricht meet, on the left bank of the Meuse; in such manner that Bergerot, Stamproy, Neer Itteren, Ittervoord, and Thorne, with their districts, as well as all the other places situated to the north of this line, shall form part of the Dutch territory.

The old Dutch enclaves in the  
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province of Limburg, upon the left bank of the Meuse, shall belong to Belgium, with the exception of the town of Maestricht, which, together with a radius of territory extending 1,200 toises from the outer glacis of the fortress on the said bank of this river, shall continue to be possessed in full sovereignty and property by his majesty the king of the Netherlands.

V. It shall be reserved to his majesty the king of the Netherlands, grand duke of Luxemburg, to come to an arrangement with the Germanic Confederation, and with the Agnates of the House of Nassau, as to the application of the stipulations contained in articles 3 and 4, as well as upon all the arrangements which the said articles may render necessary, either with the above-mentioned Agnates of the House of Nassau, or with the Germanic Confederation.

VI. In consideration of the territorial arrangements above stated, each of the two parties renounces reciprocally, and for ever, all pretension to the territories, towns, fortresses, and places situated within the limits of the possessions of the other party, such as those limits are described in articles 1, 2, and 4.

The said limits shall be marked out in conformity with those articles, by Belgian and Dutch commissioners of demarcation, who shall meet as soon as possible in the town of Maestricht.

VII. Belgium, within the limits specified in articles 1, 2, and 4, shall form an independent and perpetually neutral state. It shall be bound to observe such neutrality towards all other states.

VIII. The drainage of the waters of the two Flanders shall  
X

be regulated between Holland and Belgium, according to the stipulations on this subject, contained in article 6 of the definitive treaty concluded between his majesty the emperor of Germany and the States General, on the 8th of November, 1785; and in conformity with the said article, commissioners, to be named on either side, shall make arrangements for the application of the provisions contained in it.

IX. The provisions of articles 108 to 117, inclusive of the general act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to those navigable rivers which separate the Belgian and the Dutch territories, or which traverse them both.

So far as regards especially the navigation of the Scheldt, it shall be agreed that the pilotage and the buoying of its channel, as well as the conservation of the channels of the Scheldt below Antwerp, shall be subject to a joint superintendence; that this joint superintendence shall be exercised by commissioners, to be appointed on both sides for this purpose; that moderate pilotage dues shall be fixed by mutual agreement; and that such dues shall be the same for the Dutch as for the Belgian commerce.

It is also agreed that the navigation of the intermediate channels between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and *vice versa*, shall continue reciprocally free, and that it shall be subject only to moderate tolls, which shall provisionally be the same for the commerce of the two countries.

Commissioners on both sides shall meet at Antwerp in the space of one month, as well to determine

the definitive and permanent amount of these tolls, as to agree upon a general regulation for the execution of the provisions of the present article, and to include therein a provision for the exercise of the right of fishing and of trading in fish, throughout the whole extent of the Scheldt, on a footing of perfect reciprocity in favour of the subjects of the two countries.

In the mean time, and until the said regulations shall be prepared, the navigation of the navigable rivers above-mentioned shall remain free to the commerce of the two countries, which shall adopt provisionally, in this respect, the tariffs of the convention signed at Mayence on the 31st of March, 1831, for the free navigation of the Rhine, as well as the other provisions of that convention, so far as they may be applicable to those navigable rivers which divide the Dutch and Belgian territories, or traverse both.

X. The use of the canals which traverse both countries shall continue to be free and common to the inhabitants of both. It is understood that they shall enjoy the use of the same reciprocally, and on equal conditions, and that on either side moderate duties only shall be levied upon the navigation of these canals.

XI. The commercial communications through the town of Maastricht, and through Sittardt, shall remain entirely free, and shall not be impeded under any pretext whatsoever.

The use of the roads which, passing through these towns lead to the frontiers of Germany, shall be subject only to the payment of moderate turnpike tolls, for the repair of the said roads, so that the transit commerce may not ex-

perience any obstacle thereby, and that by means of the tolls above-mentioned these roads may be kept in good repair, and fit to afford facilities to that commerce.

XII. In the event of a new road having been constructed, or a new canal cut, in Belgium, terminating at the Meuse, opposite the Dutch canton of Sittardt, in that case Belgium shall be entitled to demand of Holland, who, on the other hand, shall not in such case refuse her consent, that the said road, or the said canal, shall be continued, according to the same plan, and entirely at the cost and charge of Belgium, through the canton of Sittardt, to the frontiers of Germany. This road or canal, which shall be used only as a commercial communication, shall be constructed, at the option of Holland, either by engineers and workmen whom Belgium shall obtain permission to employ for that purpose in the canton of Sittardt, or by engineers and workmen to be furnished by Holland, and who shall execute the works agreed upon at the expense of Belgium; the whole without any charge whatsoever to Holland, and without prejudice to her exclusive rights of sovereignty over the territory which may be traversed by the road or canal in question.

The two parties shall fix, by mutual agreement, the amount and the mode of collection of the duties and tolls which should be levied upon the said road or canal,

XIII. § 1. From and after the 1st of January, 1832, Belgium, with reference to the division of the public debt of the united kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Netherland florins of annual interest, the capital of

which shall be transferred from the debit of the great book at Amsterdam, or from the debit of the general treasury of the united kingdom of the Netherlands, to the debit of the great book of Belgium.

§ 2. The capitals transferred, and the annuities inscribed upon the debit of the great book of Belgium, in consequence of the preceding paragraph, to the amount of the total sum of 8,400,000 Netherland florins of annual interest, shall be considered as forming part of the Belgic national debt; and Belgium engages not to admit, either at present or in future, any distinction between this portion of her public debt arising from her union with Holland, and any other Belgic national debt already created, or which may be created hereafter.

§ 3. The payment of the above-mentioned sum of 8,400,000 Netherland florins of annual interest shall take place regularly every six months, either at Brussels or Antwerp, in ready money, without deduction of any kind whatsoever, either at present or in future.

§ 4. In consideration of the creation of the said sum of 8,400,000 florins of annual interest, Belgium shall be released from all obligation towards Holland on account of the division of the public debt of the united kingdom of the Netherlands.

§ 5. Commissioners, to be named on both sides, shall meet within the space of fifteen days in the town of Utrecht, in order to proceed to a settlement of the accounts of the fund of the *syndicat d'amortissement*, and of the bank of Brussels, charged with the service of the general treasury of the united kingdom of the Netherlands. No

additional charge shall result to Belgium from this settlement; the sum of 8,400,000 florins of annuities comprehending the whole of the charge which she is to take upon herself. But if it should appear from such settlement, that there is a balance to be received, Belgium and Holland shall share the same in the proportion of the taxes paid by each of the two countries during their union, according to the budgets voted by the States-General of the united kingdom of the Netherlands.

§ 6. In the settlement of the administration of the sinking fund shall be comprised the credits secured on the public lands, called *Domein los renten*. These are alluded to in the present article only for the purpose of record.

§ 7. The Dutch and Belgian commissioners mentioned in § 5 of the present article, and who are to meet in the town of Utrecht, shall, in addition to the settlement with which they are charged, proceed to the transfer of the capitals and annual interest which, upon the division of the public debt of the united kingdom of the Netherlands, are to fall to the charge of Belgium, up to the amount of 8,400,000 florins of annual interest.

They shall also proceed to deliver up the archives, maps, plans, and other documents whatsoever, which belong to Belgium, or which relate to her administration.

XIV. Holland having, since the 1st of November, 1830, exclusively made all the necessary advances to meet the charge of the whole of the public debt of the kingdom of the Netherlands, and having still to make those advances for the half year ending the 1st of January, 1832, it is agreed that the said

advances, calculated from the 1st of November, 1830, to the 1st of January, 1832, for fourteen months, at the rate of 8,400,000 Netherlands florins per annum, with which Belgium remains charged, shall be reimbursed by thirds to the Dutch treasury, by the treasury of Belgium. The first third of this reimbursement shall be paid by the Belgian to the Dutch treasury on the 1st of January, 1832 the second on the 1st of April, and the third on the 1st of July, of the same year. On the two last thirds interest at the rate of five per cent per annum shall be paid to Holland, until they are completely discharged at the aforesaid periods.

XV. The port of Antwerp, in conformity with the stipulations of the 15th article of the treaty of Paris, of the 30th of May, 1814, shall continue to be solely a port of commerce.

XVI. Works of public or private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expense of the united kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

It is understood that the capitals borrowed for the construction of these works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

XVII. The sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any property or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and

estates above-mentioned shall be immediately restored to the lawful owners thereof.

XVIII. In the two countries of which the separation takes place in consequence of the present articles, inhabitants and proprietors, if they wish to transfer their residence from one country to another, shall, during two years, be at liberty to dispose of their property, movable or immovable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

XIX. The character of a subject of the two governments, with regard to property, shall be acknowledged and maintained.

XX. The stipulations of articles 11 to 21 inclusive, of the treaty concluded between Austria and Russia, on the 3rd of May, 1815, which forms an integral part of the general act of the Congress of Vienna—stipulations relative to persons who possess property in both countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either state, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties in Holland, in the grand duchy of Luxemburg, or in Belgium, as shall be found to come

within the cases provided for by the aforesaid stipulations of the acts of the Congress of Vienna. The *droits d'aubaine et de détraction* being henceforth abolished, as between Holland, the grand duchy of Luxemburg, and Belgium, it is understood that such of the above-mentioned stipulations as may relate to those duties shall be considered null and void in the three countries.

XXI. No person in the territories which change domination shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in political events.

XXII. The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st of November, 1830.

It is agreed that the above-mentioned pensions and allowances to persons born in the territories which now constitute Belgium, shall remain at the charge of the Belgian treasury; and the pensions and allowances of persons born in the territories which now constitute Holland shall be at the charge of the dutch treasury.

XXIII. All claims of Belgian subjects upon any private establishments, such as the widows' fund, and the fund known under the denomination of the *fondes des leges*, and of the chest of civil and military retired allowances, shall be examined by the mixed commission of liquidation mentioned in article 13 and shall be determined according to the tenor of the regulations by which these funds or chests are governed.

The securities furnished, as well as the payments made, by Belgian accountants, the judicial deposits and consignments, shall equally be restored to the parties entitled thereto, on the presentation of their proofs.

If, under the head of what are called the French liquidations, any Belgian subjects should still be able to bring forward claims to be inscribed, such claims shall also be examined and settled by the said commission.

XXIV. Immediately after the exchange of the ratifications of the treaty to be concluded between the two parties, the necessary orders shall be transmitted to the commanders of the respective troops, for the evacuation of the territories, towns, fortresses, and places which change domination. The civil authorities thereof shall also, at the same time, receive the necessary orders for delivering over the said territories, towns, fortresses, and places, to the commissioners who shall be appointed by both parties for this purpose.

This evacuation and delivery shall be effected so as to be completed in the space of fifteen days, or sooner if possible.

XXV. The courts of Great Britain, Austria, France, Prussia, and Russia guarantee to his majesty the king of the Belgians the execution of all the preceding articles.

XXVI. In consequence of the stipulations of the present treaty, there shall be peace and friendship between their majesties the king of the United Kingdom of Great Britain and Ireland, the emperor of Austria, the king of the French, the king of Prussia, and the emperor of all the Russias, on the one part, and his majesty the king of the Belgians on the other part,

their heirs and successors, their respective states and subjects, for ever.

XXVII. The present treaty shall be ratified, and the ratifications shall be exchanged at London, in the space of two months, or sooner if possible. In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, the 15th November, 1831.

“(Signed)

(L.S.) PALMERSTON.

(L.S.) ESTERHAZY.

(L.S.) WESSENBERG.

(L.S.) TALLEYRAND.

(L.S.) BULOW.

(L.S.) LIEVEN.

(L.S.) MATUSZEWICZ

(L.S.) SYLVAIN VAN DE  
WEYER.

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ANSWER to the NOTE addressed to the CONFERENCE by the PLÉNIPOTENTIARIES of the KING of the NETHERLANDS, dated December 14, 1831.

London, Jan. 4, 1832.

The undersigned plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have had the honour to receive the note and memoir which their excellencies the plenipotentiaries of his majesty the king of the Netherlands addressed to them on the 14th of December 1831. The Conference of London was anxious to learn the opinion of the cabinet of the Hague on the 24 articles, which it had submitted to the knowledge of the plenipotentiaries of the king on the 15th of October. Their last communication has at length satisfied this reasonable expectation.



The Conference has seen in it with pleasure, the expression of the wishes of the government of the Netherlands for the speedy settlement of the important questions which have arisen during the last fifteen months from the relative situation of Holland and Belgium; but the Conference cannot avoid expressing its regret at the same time that this communication had not been made to it at the time when the plenipotentiaries of the Netherlands addressed their note of the 16th of November, without being able to add to it any official explanation. If, instead of the general principle of which the cabinet of the Hague now demands the plain and simple adoption, the plenipotentiaries of the King had been authorised to lay down the particular and often conciliatory views which are stated in their note and memoir of the 14th of December, more than one doubt would have been removed, more than one difficulty would have been explained. The state of the affair is no longer the same. In the mean time it is with the hope of removing the grounds of the objections which the plenipotentiaries of the Netherlands have made; it is in the hope of accelerating a happy understanding, and attaining the great end of peace which the Government of the king of the Netherlands as well as it has in view, that the Conference proposes to answer the important papers, the contents of which it has weighed with the most mature deliberation.

Without intending by the opinion which it will express, the least attack on the rights of his majesty the king of the Netherlands as an independent sovereign, rights which it has recognized to their full extent, the Conference cannot

subscribe to the interpretation which the cabinet of the Hague persists in giving to the 4th section of the protocol of Aix-la-Chapelle, dated November 15, 1818. The section in question relates to the sittings of the Sovereigns, or Plenipotentiaries accredited between the five Powers which have signed that protocol; and it reserves to those states which had caused the intervention of the five Powers in affairs especially connected with the interests of the aforesaid powers, the right of participating in the sittings, directly or by their plenipotentiaries, that is to say, by the presence of their sovereigns themselves or by accredited envoys.

The section has not—nor ever could have had—any other sense. Besides which, it cannot be too often repeated, that it lays down nothing relative to the form of the deliberations which the Five Powers might have to open with the plenipotentiaries of the states which claimed their intervention. It leaves them, on the contrary, in this respect, a free latitude, and above all it leaves them the right, a right which it could not refuse, of deliberating on the propositions which that intervention might require on their part, and the right of communicating these propositions unanimously. Undoubted in its principles and nature, the right now under consideration acquires additional strength when with the interests of the states which have required the intervention, are associated, as in the negotiations of London relative to Belgium, the most important interests of the intervening Powers themselves. According to these considerations, in inviting the plenipotentiaries of the Ne-

therlands to explain in writing the rights and wishes of their Government; in engaging them to reply to the arguments and demands of the adverse party; in offering them besides the means of making known their thoughts and wishes on all the questions to be subjected to final arrangement; in addressing to them, finally, the unanimous communications of the 15th of last October, the Conference thinks itself bound to maintain that it has acted entirely in accordance with the 4th section of the protocol of Aix-la-Chapelle.

The note and memoir of the plenipotentiaries of the Netherlands discuss the 24 articles of the 15th of October, in their relations to the eight articles of the protocol of July 21, 1814, on which the junction of Belgium with Holland was founded, and to the basis of separation annexed to the protocol of January 27, 1831. However, before the plenipotentiaries of the Five Powers had assembled in Conference in London, the principle of a separation between Belgium and Holland had been proclaimed in the united kingdom of the Netherlands. The adoption of this principle was to annul that of the essential dispositions of the protocol of July 21, 1814; it went also to invalidate the authority of this act. In making this observation the Conference is far from wishing to impute blame to a measure taken in the midst of circumstances of extreme difficulty. It is satisfied with settling a point of right and fact, from which it results that it is only in their bearings upon the basis of the separation of January 27, 1831, upon the protocol to which they are joined, and upon the propositions accepted by the Government

of the King since the commencement of negotiations at London, that the 24 articles of the 15th of October last can and ought to be considered.

The Conference will not hesitate to enter upon this examination. It flatters itself to be able to prove as it proceeds—

That the 24 articles present only the development of the basis of the separation already mentioned.

That they embrace the application of all the principles proposed in favour of Holland in the protocol of January 27, 1831.

That these principles have been maintained with a view to the interest of the government of his Majesty the king of the Netherlands.

That, in the question of the grand duchy of Luxemburg, the Conference, in making a portion of the grand duchy serve for an exchange of territory, and in connecting this negotiation with the Belgic question, properly so called, did but conform with the authority it had received from the diet of the Germanic Confederation, on the demand of the minister of the king of the Netherlands and grand duke of Luxemburg himself.

That the example of the kingdom of Hanover does not at all appear applicable to the case.

That the articles which, according to the note and memoir of the plenipotentiaries of the Netherlands, contained positions unprecedented and derogatory to the rights of the sovereignty of Holland, are easily explained, are not without precedent, and ought not reasonably inspire the apprehensions that they seem to have given rise to.

That, finally, if the Conference thought they ought to secure to

Belgium the means of existence and prosperity, it was confined in this respect to following up the steps pointed out by the protocol of January 27, 1831, and accepted by the government of the Netherlands.

The plenipotentiaries of his majesty the king of the Netherlands, will find the development of these assertions in the subjoined memoir.

Strong in the conviction of having discharged the engagements contracted by the five courts towards the government of the Netherlands—full of confidence in the intelligence and justice of the king, the Conference flatters itself that his majesty will bear in mind the difficulties it has had to overcome, the events which have marked the course of its labours, the dangers of every description which it had to meet, and finally the obligations under which it lay, and which it has discharged, to maintain that general peace which, in the same degree, the true interests of Holland as well as of Europe demand. It flatters itself that the king will perceive that it was impossible, in an arrangement of the sort with which the Conference was occupied, to reconcile claims essentially contradictory; to unite opinions in themselves of an opposite nature; without the establishment of a system of compensation; and which consequently it will deem equitable, not by judging each article that has been communicated to it in an isolated manner, but by taking the whole together—not by detaching from the combined whole some partial changes, and by so detaching them increasing their difficulty, but by seeing if the combined whole does not offer advantages superior to its inconveniences, from which no diplo-

matic transaction has ever yet been wholly exempt.

At the close of such an examination of the 24 articles, and the explanations contained in the memoir of this day, the Netherlands government will find, the Conference entertains no doubt, that all the means, by signing these articles, have been supplied of arriving at the conclusion that Europe, wearied with trouble and apprehension, expects with a just impatience, as an honourable one, which will settle the long disquieted state of Holland herself, and lead finally to that general disarming, the proposition for which the Conference approves of highly.

It cannot, on the other hand, too strongly regret the suspicion of its not wishing to give Holland henceforth an honourable position in the European family. Such an object never entered into the wishes of the five Powers; and would be as opposed to their sentiments as their own interests.

Again placed involuntarily, and by the march of events, under the obligation of contributing, as in 1814, to settle the future destiny of Belgium, the courts have not abused their position; and by the financial arrangements which diminish the burthen of the ancient debt of Holland, by affixing good boundaries, a state of compact possessions, and a contiguity of territory on the two banks of the Meuse; and by a formal guarantee of all these stipulations, they have offered to Holland advantages in vain sought for in the most glorious epochs of her history.

In these memorable times it was not from a junction with Belgium, it was from herself, from the noble qualities of the House of Nassau and the Dutch nation, and from

her own resources, that Holland derives her power.

It only remains for her to fill the same character now ; and far from desiring to make the king of the Netherlands descend from the high rank which he fills in Europe, the courts represented in the Conference of London have had only in view to maintain him in all his dignity, all his influence, and all his importance.

The undersigned, &c.

(Signed) ESTERHAZY.

WESSENBERG.

TALLEYRAND.

PALMERSTON.

BULOW.

LIEVEN.

MATUSZEWICZ.

*ANSWER of the DUTCH PLENI-  
POTENTIARY to the NOTE of the  
CONFERENCE.*

*London, Jan. 30.*

The undersigned Plenipotentiaries of the king of the Netherlands, assembled this day for the purpose of replying, in the name of their sovereign, to the communication with which their excellencies the plenipotentiaries of the courts of Austria, France, Great Britain, Prussia, and Russia, assembled in conference at London, honoured them on the 4th instant, feel it their duty to acquit themselves of this task by the present note.

When the undersigned had communicated to them the twenty-four articles concerted by their excellencies as conditions of a definitive arrangement between Holland and Belgium, they declared, by their note of the 7th of November, that, relying upon the full powers transmitted to the Conference on the 4th of August, and

containing the authority to discuss, decide upon, and sign it with, a treaty of separation between Holland and Belgium, and after new instructions received from their court, they were ready to discuss the modifications which the twenty-four articles above-mentioned were to experience, conformably to the principles previously adopted.

Since the 7th of November the government of the Netherlands have thus expressed their opinion, that the twenty-four articles required modifications, and also its eagerness to make it known.

The Court of the Hague having learned by the note of the Conference to the undersigned, of November 10, that their declaration had not been received, found itself under the painful necessity of postponing to a more favourable period its communications, which the non-admission of the general principles on which they were founded seemed to render ill-timed. The discussion to which the Conference devoted its note and its memoir of the 4th of January, in reply to that of the undersigned of the 14th of December, afforded reason to believe that there might be more success than the first time in the choice of the moment when the said communications might be effected. That discussion, and the declaration with which the Conference were good enough to accompany it, that it would not delay to make known the opinion of the cabinet of the Hague respecting the twenty-four articles, seemed a happy augury as to the issue of the negotiation, and presented a new pledge of the conviction of the Conference that the course of mediation was the only one which could be resorted to. This principle will also be found

expressed in the letter of the 1st of February, 1831, of the French minister for foreign affairs, to M. Bresson, as follows:—"The Conference of London, as it is termed, is a mediation, and the intention of the king's government is, that it should never lose that character." The same minister stated, on the 1st of March, 1831, in a letter to the French plenipotentiary at London, "that the Conference was less competent and less enlightened as to the solution of a question of private interest, than respecting questions of European interest." The Court of the Netherlands, finding that the insurrectional powers in Belgium met with the same reception as the legitimate rights of the king, hesitated not so much at the prevalence of this principle, but that it might abstain from taking any steps which might in any manner have relation to the modification of such a state of things, and that it might remain a stranger to such a line of conduct.

As to the course of the negotiation, it participated in the opinion that the 4th section of the protocol of Aix-la-Chapelle did not fix the form of deliberations, but they were unable to give up that the participation of the plenipotentiaries in the meetings textually pointed out in the last phrase of the said section, rigorously exacted their presence at such meetings, and especially that no matter could be prepared, discussed, or arranged, without their co-operation and their sanction. The most important interests of the interfering powers require that this principle should not be derogated from, inasmuch as the first interest of the political world is the maintenance of the independence, and the free

action of each member of the system of nations. The invitations addressed by the protocol of the 4th of November, 1830, to the king's ambassador, to take part in the deliberations, seemed to indicate that at that epoch the Conference understood the protocol of Aix-la-Chapelle in the same sense as the government of the Netherlands.

Assuredly the Court of the Hague has been very far from entertaining the suspicion that the Conference would not henceforth leave to Holland an honourable place in the European association; and if the undersigned may be allowed to remark that the twenty-four articles scarcely leave to Holland a place of that description, let the observation be accompanied by the conviction that this result was not intended by the Conference. But, however well-disposed foreign powers may be, friends and allies, every state must, from the nature of things, be the best judge of combinations which affect its own position; and it is as much the duty of the government of the Netherlands to maintain itself in its position as to respect the attributes of other powers. The Five Courts have, it is said, found themselves involuntarily placed under this obligation of attributions, as in 1814, to determine for the future the mode of existence of Belgium. At that epoch that obligation was founded on a formal treaty, and it was not thought of to obtain that future, and that existence, at the price of the independence of Holland—of its finances—of the free use of its rivers—of its canals, and its territory—and of the patrimonial property of the House of Nassau, or their equivalent.

The Conference does not admit, as one of the bases of the negotiation, the eight articles of the 21st of July, 1814, on the ground that the government of the Netherlands has proclaimed the principle of the separation of Holland and Belgium; and has declared that it is not in a state to bring Belgium under its power, without foreign military aid. The undersigned must be permitted to resort here to the principal phases of the negotiation.

The exordium of the first protocol of the Conference mentions the invitation addressed to the Five Courts by that of the Netherlands, to the effect of deliberating in concert with his majesty upon the best means of putting an end to the disturbances which had broken out in his states, and the desire of the Five Powers to put a stop to the disorder. By his note of the 22nd of December, 1830, the ambassador of the Netherlands protested against the protocol of the 20th of that month, inasmuch as that, either by its arrangements, or by its expressions, that act tended to attack the rights of the king, "on the supposition even," as it is said, "that the necessity of an absolute separation exacts and draws with it new arrangements respecting which there is a question in this protocol, (that of the 20th of December, 1830). Is not the order of things which it is proposed to change founded upon solemn treaties? Do not these treaties impose different obligations upon the king of the Netherlands,—and have they not conferred upon him rights? Can these rights be forgotten or despised? By what title can some stipulations be maintained, and others abrogated, withdrawing whole pro-

vinces from legitimate authority, the grounds for which are any thing but clearly stated?" This protest was followed by a declaration made in the name of his majesty to the Conference. It contained the necessary reserves, and it was in favour of these reserves that his majesty expressed his desire to see the separation between Holland and Belgium regulated in an equitable manner. The annexed A of the 12th protocol was intended to realize this desire. Notwithstanding the motives which opposed themselves to the accession, the king acceded to the said act, but the government of the Netherlands never deviated from its principles or its propositions of the 12th of July, 1831; it will therefore be remarked as affording, in this respect, a highly convincing proof that the annexed A, of the 12th protocol, leaves untouched the question of the sovereignty, and in the declaration on the supposition even that the king might consent to put this important question in the balance of the arrangement between Holland and Belgium, his majesty states that he will only be ready to do so in exchange for just equivalents, should the progress of the negotiation experience at a later period a sensible aberration; the court of the Netherlands reserves expressly the question of the maintenance of it in the adopted course.

Such being the state of things, the object in making the citations has been only with reference to the separation. As to any thing farther, the acts mentioned by the Conference in order that the government of the Netherlands in proclaiming of its own accord, previous to the meeting of the Conference, the principle of the



separation of Holland and Belgium, annihilated of itself the essential part of the 8th article of London, proof is offered to the contrary.

By the royal message of the 13th of September, 1830, the king desired the opinion of the States-General as to the questions proposed to it, and whether, in the affirmative case, the relations established by treaties and the fundamental law ought to be changed.

The issue of the deliberations of the two chambers of the States-General of the 29th and 30th of September, 1830, was merely a vote, and the enunciation of opinions very divergent, for the most part conditional, and but little positive; this vote was isolated, not leading, nor could it lead, to any conclusion or practical result. A royal message of the 1st of October, 1830, does not exist; it is possible that the Conference may have had here in view the royal decree of the same day, containing the nomination of a commission consisting of Dutch and Belgians, and intrusted with the preparation of a project of law necessary for the purpose of harmonizing the fundamental law and the existing relations between the two great divisions of the kingdom with reference to the changes required by the general interest and that of each of the said divisions. This decree was limited, therefore, to the demand of a project of law, and contained, besides the recommendation expressed to the commission to have constantly in sight the revision of the fundamental law, that it might operate in a manner to offer reciprocally to each of the great divisions of the kingdom the strongest guarantees against all preponderance on one side or the other. Perhaps the

Conference, in citing a royal message of the 1st of October, 1830, intended to speak of the speech on closing the session of the States-General, delivered by the minister of the interior, on the 2nd of October; but this speech merely communicated to the States-General the nomination of the above-mentioned commission and the nature of the labours which his majesty required of it. The minister deferred further communication till the ordinary session, then near at hand of the States-General.

The speech delivered by the king on the 18th of October, in the same year, on the occasion of the opening of the ordinary session of the States-General, erroneously styled by the Conference a royal message, did not contain any phrase in support of what is wished to be inferred. His majesty, on the contrary, announced the motives which had induced him to invest his royal highness the prince of Orange with the temporary government of those parts of the northern provinces which remained faithful, and to confide to him the care of making the revolted provinces return as soon as possible to legal order, by means of persuasion. Finally, the proclamation of the prince, of the 25th of October, 1830, founded upon the temporary powers which had thus been confided to him by the king, his father, announced that the king would provisionally grant to the southern part a separate administration, until it should be possible to regulate legally the manner of effecting the separation between the two great divisions of the kingdom, and to determine the conditions of it. It would be superfluous to enter

into further developments to show that the five acts before cited do not at all support the inference which has been drawn from them. The basis of the negotiation being evidently now the separation of Holland and Belgium, the controversy confines itself to the question whether the interests of Holland ought to be sacrificed to this separation, and if what has been required from Holland is to be considered as a sacrifice of her interests. As to the eight articles of London, the undersigned have cited them not only for the basis, but also for the form, and in support of the opinion, that now, when the question is to dissolve the union, that dissolution could not be effected but by the same means, that is to say, by a negotiation with the king. They added, that when the separation had been decided upon, it was important to modify these articles, or to substitute others for them.

In the note and the memoir of the 6th of January, the Conference reject the eight articles of the 21st of July, 1814, the first of the basis pointed out by the undersigned, the essential parts of which they declare to be destroyed and annulled. In reply to this assertion, the undersigned, in abstaining from the discussion of the motion, confine themselves to citing the terms used by the Conference in its 12th protocol of the 18th of January, 1831. But, further, it is then said the questions which are to be solved have already given rise to decisions, the principles of which, far from being new, are those which regulate all the reciprocal relations of states, and which the special conventions concluded between the five Courts have recognized and consecrated.

These conventions cannot then be changed in any case without the participation of the contracting Powers. The motives which have been stated, and the importance of which is not doubtful, have induced the plenipotentiaries to discuss, under the head of financial engagements, which must necessarily all apply to the division of the debts of the kingdom of the Netherlands, and interest more or less every nation in Europe, the provisions of treaties, in virtue of which the debts of Holland and those of Belgium have been declared debts in common of the kingdom of the Netherlands. These provisions, embodied in a protocol of the 21st of July 1814, joined to the general act of the Congress of Vienna of the 9th of June, 1815, and regarded as forming an integral part of that act, are as follows :—

Art. 6 of the Protocol of the 21st of July, 1814.—“The charges are to be common, as well as the benefits; the debts contracted up to the period of the union by the Dutch provinces on the one hand, and by the Belgic provinces on the other, shall be at the charge of the general treasury of the Netherlands.”

Further on is cited article 7 of the protocol of the 21st of July, 1814, in these terms:—“The same proportions shall be applicable to the share of the expenses incurred by the general treasury of the Netherlands, conformably with article 7 of the protocol of the 21st of July, 1814, which enacts that the expenses required,” &c.

Recently, in the 48th protocol of the 6th of October, 1831, it is stated as follows :—“In this labour (the French arrangement) the

Conference has, above all things, referred to the principles of article 6 of the protocol of the 21st of July, 1814, which states that the expenses ought to be in common, as well as the profits," &c.

As to what concerns the impossibility in which the government of the Netherlands is placed to execute the eight articles, the month of August has put a period to all the obstacles without foreign intervention, in favour of the insurrection.

The undersigned congratulated themselves at again seeing the annexed A of the 12th protocol recognized by the Conference as the basis of the negotiation. It enters so little into the intentions of the Court of the Hague to seek to withdraw its adhesion to the said act, that the undersigned declare themselves still ready to convert it into a treaty, the signature of which would pave the way to the question of the accordance of the 24 articles with the annexed A. The reply to this question can only be in the negative, when it is considered that several stipulations of the annexed A, favourable to the king and to Holland, have been silently passed over in the 24 articles, and replaced by modified or entirely new clauses in the interest of Belgium.

The undersigned do not dissemble, that the hypothesis, that the annexed A would give to Belgium the German limits (*enclaves*), which Holland did not possess in 1790, was to them entirely unexpected. They think they should fail in the respect due to the penetration and equity of the Conference, by attributing to it the intention, when it traced the line of demarcation, of assigning to Belgium the German boundaries

situated to the north of that line in the province of Guelder, and acquired in 1800 upon onerous conditions. They will abstain, therefore, from taking advantage of the explanations and the very positive assurance given to the undersigned at the period of their consent to the annexed A, that this act assigned beyond all doubt those boundaries to Holland, and it is impossible for them to consider the recognition of their right to the said boundaries as a favour resulting from the 24 articles. To be convinced of the incontestable rights of Holland to Maestricht, it is only necessary to recall to mind the verbal note of Messrs. Cartwright and Bresson, of the 1st of December 1830, and the 19th protocol of the Conference in which it has itself established the nullity of the pretensions of the Belgians.

The Court of the Hague admits that the annexed A does not make any mention of a territorial indemnity in favour of Holland, but the agreement, which is now reiterated, to the bases intended to establish the separation of Belgium from Holland, refers to the whole of them, and the modifications which they appear destined to suffer authorize Holland to claim what favour belongs to it in reference to territorial arrangement.

The undersigned will not direct the attention of their excellencies to the unimportant question whether Belgium possessed boundaries (*enclaves*) in the ancient territories of the United Provinces, nor to the greater or less correctness in this respect of the manner of drawing up the annexed A. According to their opinion, the negative cannot be contested, unless by limits is understood a territory

parcelled and cut out, though not entirely surrounded by foreign territory, such as was in the time of the republic, that of Belgium, upon the right bank of the Meuse, in the province of Luxemburg, when the greater part of the country belonged to the States-General.

That which it is of most importance to determine is the position of the Germanic Confederation with respect to the Conference of London, in what concerns a partial or total change of the grand duchy of Luxemburg. As the validity of every diplomatic transaction requires in the first place that the parties should be invested with the necessary power for directing the external relations of the state, it is subordinate to the public right of each nation. But the examination of the public right of Germany presents in this respect the following results:—The constitutive principles of the Germanic Confederation, tending not to facilitate the eventual transfer to a stranger of any portion of its territory, great or small, but to maintain its integrity, the session of a territory forming part of the Confederation should be the result of the free wish of the sovereign of the federative state in question. This system guarantees the entire independence and the rights of sovereignty of each State of the Confederation. It does not confer to this or that power the initiative of the cession of a territory belonging to one of its members—a cession exclusively intrusted to the will of each state, reserving the assent of the Confederation when such a cession should be made in favour of a foreign state. According to these principles, the king grand duke, should have considered the powers with which

the diet furnished the plenipotentiaries of Austria and Prussia, as having solely a negative object, that of watching and taking care that the interests and rights of the Germanic Confederation should not be compromised; and not of establishing with the Conference relations tending to arrange the cession or the exchange of a territory of the Germanic Confederation, relations foreign to the attributes of the Diet. Consequently, the king, grand duke owes it to the Germanic Confederation, to the independence of its members, and to the inhabitants of the grand duchy of Luxemburg, to reserve to himself alone, as territorial sovereign, all negotiation relative to a change in which the grand duchy of Luxemburg may be interested, and to postpone the eventual communication to the Diet of the progress of such a negotiation until the period when the progress should be of a nature to require a recourse, on the part of the grand duke, to the Confederation, for the purpose of obtaining its assent to an exchange of territory in favour of a foreign state. Finally, the public right of Germany does not imply, in the event of such a case arising, that this assent should be expressed to the foreign Power that may be interested in it by the body of the Confederation, but the said assent regards only the domestic relations of each German state with the federative assembly. The progress of the negotiation of London not having hitherto placed the king grand duke in a condition to demand of the Diet the anticipated consent to it, the communication to the Conference by the Diet of such consent, and a negotiation in this sense of the federa-

tive assembly, would be reduced to a nullity by the fundamental institutions of the Germanic Confederation. In the same way, all provocation to this end, by one or more foreign Powers, to the Diet, must be considered as an intervention in the domestic affairs of Germany, incompatible with the liberties of the Confederation.

The undersigned permit themselves to correct an error which crept into the information received by the Conference, according to which the authority claimed by it was accorded upon the instance even of the minister of the king grand duke at the Confederation. The moment information was had at the Hague of the proceeding about to be adopted by the Conference at Frankfort, the minister of foreign affairs of the Netherlands took care to enter into explanations with the embassies of Austria and Prussia, as to the spirit in which the king grand duke judged that he could entertain of this proceeding, and to transmit similar instructions to his majesty's legation at the diet. The legation, in consequence, confined itself to acceding to the resolutions of the Diet, judging that they were not of a nature to lead to any result; but when they imagined they saw that, insensibly, the question of the assent of the Diet was about to be transferred to the foreign soil of London, and that an indirect initiative was about to proceed from some other quarter besides the king grand duke, then the minister of his majesty at the Diet took care to rely on the fundamental principles of the Confederation in what related to territorial cession.

If the line traced by the undersigned in their memorial of the 5th of September had made the

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fate of the commune of Lommel more or less doubtful, it cannot be so now that the Conference has adopted the principle that Holland should possess what belonged to her in 1790.

Their excellencies appreciate that part of Limburg assigned to Holland, and a more extended frontier given to Holland. In the 12th of the 24 articles, the canton Stillard is in the same manner described as Dutch. They here depart from the supposition of an identity between the Dutch and Luxemburg territory which does not in reality exist. The 24 articles do not even assign to Holland its ancient territory; the excess which they establish in Limburg should be taken into the account of the cessions in the grand duchy of Luxemburg; and in whatever manner they represent the arrangements to intervene with the Germanic Confederation, and with the agents of the House of Nassau, they cannot lead but to an exchange of territory between Holland and the Confederation, in order to insure the contiguity of each territory—an increase of that of Holland, provided these arrangements should necessarily imply a reduction of the Luxemburg territory. Two views could there be taken of that which would be acquired in Limburg, either as an increase of Dutch territory, or as an equivalent for the cessions in the grand duchy of Luxemburg. This latter state being as distinct from Holland as the kingdom of Hanover is from Great Britain, they could not convince themselves that the parallel drawn between the respective situation would be applicable to the question. The kingdom of Hanover, like the grand duchy of Luxemburg, makes part



of the Germanic Confederation. The one and the other have special relations with it, and institutions which are their own. England, like Holland, does not form a part of the Confederation. Now, the crowns of England and Hanover like those of the Netherlands and Luxemburg, are placed on the head of the same sovereign, but perpetuity is not the principle of either one or the other union.

The constant policy of Great Britain was not to allow herself to be influenced by Hanoverian interests; it ought to be the same with Holland with reference to the grand duchy of Luxemburg. It was, however, frequently attempted to act upon England by means of Hanover, as it is now attempted by means of Luxemburg. In short, Holland and Luxemburg will be separated by the country of Liege—a barrier which, not being modified by the service of canals or commercial roads, will oppose more obstacles to their communications than the North Sea presents to England and Hanover.

The undersigned presume that they have demonstrated—

“That, for territorial arrangements, there exists a very essential difference, to the prejudice of Holland, between the 24 articles and the annexed A, which, besides, guarantees to his majesty the possession of the grand duchy of Luxemburg; and that in the actual state of the negotiation, the consent of the Germanic Confederation to the exchange of part of the grand duchy of Luxemburg would be incompatible with the fundamental institutions of the Confederation; and that, according to the 24 articles, Holland would lose territory in compe-

right to the districts which would form part of Belgium.”

With respect to the 9th of the 24 articles, the Conference has rendered justice to the government of the Netherlands, in admitting that general rights are subordinate to conventional rights, and that when an affair is regulated by conventions, it is by those conventions only it can be judged; but, independently of this principle, the court of the Hague think proper to establish,—first, that conventional rights can never abrogate from the basis of general rights, which is the independence and free action of every people; and secondly, that the existence of conventions is acknowledged now in the memorial joined to their note of the 14th of December. The undersigned have had the honour to observe, that they could not recall to mind any instance in which an independent state had submitted the rights of pilotage and *balisage* in one of its own waters to the common superintendence of another state, or that it had consented to fix the rights of pilotage in common accord with a foreign state, and to substitute for the principle frequently adopted that a foreign flag shall be treated as the flag of the most favoured nations, or assimilate to the national flag the opposite principle that the national flag shall be treated like the foreign flag; as if it had been judged proper to subject the national commerce, as respects the waters of the interior, to the same restrictions as that of a foreign nation, and as if it had granted to another state the right of fishi-

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lations so diametrically opposed to territorial rights, and to the sovereignty of whatever state, it does not appear that a single example, or even a small number of conventions of this nature ought to affect the principle of conventional rights. But the Conference does not allege any case of this kind; and, however hazardous it may be to say that none has ever existed, the government of the Netherlands thinks it is not wrong in advancing that none of these stipulations ever have been, or ever will be, realized. The great latitude given of late years to the free navigation of rivers renders this want of precedent doubly remarkable. In admitting, then, that a single convention would establish a conventional right, the 24 articles being once accepted, would only found one for the future; but, even in this supposition, in order to establish it, they cannot quote their own example, or be based upon themselves.

In favour of the stipulation of the 24 articles relative to the intermediate waters of the Scheldt and the Rhine, the extract of a protocol, signed at Mentz, on the 30th of March, has been brought forward.

The court of the Netherlands did not think that this document was applicable to the subject; its impressions in this unforeseen circumstance are justified by the following remarkable authority:—Austria, in a note of the 3rd of July, 1826, addressed to the court of the Hague, on the subject of the navigation of the Rhine, thus explained herself with respect to the use proper to be made of the protocols of the central commission of Mentz:—"We abstain the more from asking the judgment

which the courts of London, St. Petersburg, and Berlin will pronounce on the interpretations, which, according to the passage just transcribed, have been put upon the protocol of the Conference of Mentz. As we have been ignorant, up to then, of the result of the transactions of the Rhenish commission, and as we have, in fact, no right to be informed of its deliberations, which should be confined to those who are delegated by the co-possessors of the waters of the Rhine." The government of the Netherlands, at that epoch, judged that it was permitted to them to communicate to the court of Vienna a declaration made by its commissioners at Mentz; but it little expected to see brought forward, in favour of revolted Belgium, in a meeting of diplomatists, for the purpose of discussing European interests, a question exclusively German, which was agitated, not settled, at Mentz; and to have heard an opinion expressed as to the degree of maturity at which it had arrived. The king, as sovereign of a state bordering upon the Rhine, owes it to the interests of the co-borderers, and as grand duke of Luxemburg, to the liberties of Germany, in such a question, to dispute with the Conference of London the propriety of producing a protocol of the central commission of Mentz.

But for this obligation his majesty would, with satisfaction, have seen confirmed by this means the conclusions of the memorial of the plenipotentiaries of the Netherlands of the 14th of December. The undersigned would, in fact, have had the honour of observing, in that memorial, that they had not been heard at Mentz with respect to the navigation of the

immediate waters between the Scheldt and Rhine; and that the cabinet of the Netherlands had not been able to understand why there should be stipulated, in favour of Belgium, conditions which the states bordering on the Rhine had never stipulated even for themselves. These non-stipulated conditions refer evidently to other objects which had been brought forward, and not the navigation of the intermediate waters between the Scheldt and the Rhine, with respect to which it had been explicitly indicated that there had been reclamations, by the exceptional and special remark that they had not been heard. The proof of this last circumstance is to be found in the extract of the protocol of Mentz, of the 30th of March, 1831; for if it had been arranged, it would have been expressed in the regulation, without the necessity of having recourse to a protocol, in which, on the part of the commissioner of the Netherlands, there was no admission except as to a discussion, which assuredly does not constitute a conventional right.

On the 18th of February, his excellency Lord Palmerston addressed to the undersigned the following letter:—

“Foreign-office, Feb. 18, 1831.

“In transmitting to your excellencies the enclosed copy of a protocol, signed in the Conference, I am authorized to explain to you, that the article 3 of the “*bases destinées à établir la separation de la Belgique d'avec la Hollande*,” applies only to rivers whose navigable course traverses the territories both of Holland and Belgium, or separates those territories.”

Thus, not only the annexed A of the protocol is silent as to the navigation of the intermediate

waters between the Scheldt and the Rhine, but the Conference has declared expressly that this navigation was not concerned, the said intermediate waters traversing the Dutch territory exclusively. With respect to the objection that Strasburg, Mentz, and many strong places, are traversed by roads open to commerce, without its being supposed that the powers to whom the fortresses belong were, therefore, compromised, it will be permitted to reply that those powers have never contracted any engagement with foreign states with respect to those routes, and that consequently they are entirely free to act according to circumstances; and that the dangers with respect to the fortresses would result not from the route, but from the engagement. The protocol of the 27th of January, 1831, contains, it is true, the following declaration:—“It is important for the preservation of the European equilibrium and for the accomplishment of the views which govern the five Powers, that Belgium, flourishing and prosperous, should find, in her new mode and political existence, the resources that are necessary for her support.” But it would be a petition of principle to reduce, that Holland has been so imprudent as to consent beforehand to yield to Belgium all that Belgium or the five powers might judge to be suitable to its interest.

The confidence of the Conference that the court of the Hague did not understand, with reference to the division of the common debt, that one of the parties should be encumbered with a mass of balances due, whilst all the surplusses should be assigned to the other, is justly merited. Thus no inculpations of this kind respecting it can be made

with reference to the proposed liquidation of the syndicate of the sinking fund and of the bank of Brussels, as from the operation of the order, no increase of charge results from it to either of the parties. The calculations according to which the Conference fixed the portion of Belgium of the debt of the state at a rente of 8,000,000 francs, being much below that given in by the government of the Netherlands, the latter sought to reconcile what might be agreeable to the Conference with the rights of the nation, by adopting the amount agreed upon by the Conference, but recognizing the basis, upon the express condition that the syndicate and the bank of Brussels should liquidate it in the manner above indicated, and that the before-recited rente should be capitalized under the guarantee of the five Powers, according to the *cours official* of the debt of the Netherlands in the month of July, 1830.

When the arrears are taken into consideration, and the public chests which fell into the hands of the Belgians at the epoch of the insurrection, the government of the Netherlands ought not to be charged with having touched the revenues of Belgium, except during the first half year of 1830. The undersigned may be permitted to observe, upon this occasion, that they have mentioned the 1st of November, 1830, as the epoch at which the contributions of Belgium to the treasury had ceased, but not as the term up to which all the payments of Belgium had continued, the interval having been considered by them as forming an object of liquidation.

It is a fact that the barrier treaty was not renewed at the re-

establishment of the general peace, but the motive of that omission is to be sought for in the union of Belgium and Holland, by means of which the defensive interests were considered equal as to all the provinces of the Netherlands.

As to the last remark contained in the memoirs of their excellencies, the undersigned can only refer to the note of their ambassador of the 22nd of December, 1830, and to the declaration of the cabinet of the Hague, of the 12th of July, 1831, above referred to.

The undersigned will here terminate their observations upon the communication of the Conference of the 4th of January, and in order not to make the present note longer, they will not specify the matters respecting which their excellencies have been desirous of manifesting a conformity of views with those of this Court, but they feel a necessity for expressing the high value which the government of the Netherlands attaches to this conformity, as well as to the conciliatory terms in which it has been answered, and how much it congratulates itself on presaging a happy issue to the negotiations.

Actuated by a very sincere desire to conduct it to a prompt conclusion, the undersigned will have the honour of presenting to their excellencies a project which may be converted into a treaty between the king and the five Powers. They flatter themselves that this project, tending to conciliate as much as possible the wishes and the interests of all, will obtain the assent of their excellencies. The conclusion of this treaty will consolidate the maintenance of the general peace, and, notwithstanding the sacrifices which it will cause to Holland, the eagerness of the king

to co-operate in the views of his august allies, and to see extinguished a source of discord, will prevail over the motives which dissuade him from subscribing it.

The undersigned are ready to give to the Conference, respecting the said project and the spirit in which it has been conceived, all the information which may be judged necessary; and they eagerly seize the present opportunity of reiterating to their excellencies the plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, the assurance of their high consideration.

(Signed)

FALCK.

VAN ZUYLEN DE NYEVELT.

PROTOCOL, No. 56, of the CONFERENCE held at the FOREIGN-OFFICE on the 5th of APRIL, 1832.

Present:—the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

“The plenipotentiaries of the Five Courts being assembled in Conference at the Foreign-office.

“The plenipotentiaries of France and Great Britain have opened the Conference, in observing that more than two months have elapsed since the 31st of January, the day upon which they exchanged with the Belgian plenipotentiary the acts of ratification of the treaty of the 15th of November, 1831.

“That the protocol of the Conference held upon that occasion had been left open for the reasons stated in the same protocol, in order to reserve to the courts of Austria, Prussia, and Russia, the faculty of exchanging equally the acts of their ratifications, without prejudicing the harmony which so

happily existed at that time amongst the five Powers, and upon the preservation of which depended essentially the maintenance of the peace of Europe.

“That, in deciding upon awaiting until this moment some communication on the part of their allies upon the subject of the ratification of the treaty of the 15th of November, the courts of France and Great Britain have given the strongest proof of the value which they set upon that union, and of their ardent desire to preserve a general peace, but that communications which the two courts have recently received incline them to believe that the plenipotentiaries of their allies have been furnished with the necessary powers for exchanging the ratifications of the treaty of the 15th of November, and that, as it is urgent, for the maintenance of the tranquillity of Europe, that the affairs of Belgium should be settled promptly, the plenipotentiaries of Great Britain and France invite those of Austria, Prussia, and Russia, to declare if they are ready to proceed to the exchange of the ratifications of the treaty of the 15th of November, and in case they are not, to explain the circumstances which prevent them.

“The plenipotentiaries of Austria, Prussia, and Russia, hasten to answer to the plenipotentiaries of France and Great Britain.

“They declare that they appreciate at its just value the assurance which the plenipotentiaries of France and Great Britain have reiterated to them, and that they esteem themselves happy in having been, since the opening of the Conference of London, the interpreters of the intentions not less pacific of the three Powers whom they

represent—intentions which have influenced these Powers, and which will influence them, to lose no means of maintaining the general peace and union of the five courts, of which it is the very best guarantee.

“ The plenipotentiaries of Austria, Prussia, and Russia, add, that they are not yet authorized to exchange the acts of ratification of the treaty of the 15th of November, 1831; that the motives of the three Powers in delaying the exchange of these ratifications, had been to use all their influence at the Hague to engage his majesty the king of the Netherlands to accede to the twenty-four articles of the 15th of October last, and that in labouring with a sincere zeal to obtain this accession, the three Powers had given the most convincing proof of their desire to co-operate for the accomplishment of the views of their allies, and the preservation of the tranquillity of Europe; that the result of the last remonstrances made in that respect to his majesty, the king of the Netherlands, and attested by the declarations which had been just remitted on the part of Austria, Prussia, and Russia, to the government of the Netherlands, is still too recent to have permitted the three Powers to send definitive orders to their plenipotentiaries at London; but that the plenipotentiaries hope to receive these orders directly, and will not fail to communicate them to the Conference.

“ WESSENBERG.

“ TALLEYRAND.

“ BULOW.

“ MATUSZEWICZ.

“ NEUMANN.

“ PALMERSTON.

“ LINNEN.”

PROTOCOL, No. 62, of the CONFERENCE held at the FOREIGN-OFFICE, the 29th of MAY, 1832.

Present:—the Plenipotentiaries of the Five Powers united in Conference.

“ The plenipotentiary of the king of the Netherlands having been admitted, declared verbally, in reply to the communication of the 4th of May, that the king, his master, was ready to consent to the enlargement of *Sieur Thorn*, provided that the adverse party would grant the aforesaid the necessary security for carrying into effect the propositions contained in the same protocol.

“ The plenipotentiaries of the five Powers, after having discussed the verbal declarations of the plenipotentiary of the Netherlands, came to the following opinions:—

“ 1. That this declaration would imply the sanction of an act which the government of Holland had not avowed up to the present moment, and of which the diet of the Germanic Confederation had disapproved—a sanction resulting from the assimilation of this act to facts that were far from bearing the same character.

“ 2. That the declaration of the plenipotentiary of the Netherlands creates between the demand for the release of *Sieur Thorn*, and the requisitions addressed to the Belgian government in the protocol of the 4th of May, a connexion which has not existed in the eyes of the Conference, and which they will not admit.

“ The Conference, in fine, convinced on the one hand, by documents which show that the arrest of *Sieur Thorn* was made without the order of the grand duke of Luxembourg, and was not avowed



by the grand ducal government ; and finding, on the other hand, that the diet of the Germanic Confederation had disapproved of this arrest, as well as of the means employed to effect it ; the Conference, under such circumstances, expressed its firm confidence that the king would not sanction an act which was not authorized, and that *Sieur Thorn* will be set at liberty.

“ In this confident expectation, in the persuasion that the course it has recommended will be favourably received, that, as a matter of course, *Sieur Thorn* will be restored to liberty, the Conference, upon his emancipation from imprisonment, which they reckon on as a certainty, has consented to solicit from the Belgian government the liberation of such individuals as have been arrested in Belgium by way of reprisal. Further, the Conference (it being taken for granted that *Sieur Thorn* will be immediately released) has consented to ask, on grounds of peace and humanity alone, the release of persons belonging to armed bands, which were organized neither by the grand duchy of Luxemburg nor the German Confederation.

“ In this state of circumstances, the plenipotentiaries of the five Courts have resolved to communicate the present explanations to the plenipotentiaries of the Netherlands, and to renew, in the most pressing and serious manner, their demand for the liberation of *Sieur Thorn*—a demand which is founded as well on the circumstances stated in Protocol No. 60, of the 4th of May, as upon the acts of the diet of the German Confederation.

“ The plenipotentiaries of the five Courts have only to add, that until *Sieur Thorn* shall be released, the Conference will not undertake

to obtain from the Belgian government the freedom of the individuals to whom reference is made in the protocol No. 60, of the 4th of May.

(Signed) “ WESSENBERG.

“ TALLEYRAND.

“ PALMERSTON.

“ BULOW.

“ LIEVEN.

“ MATUSZEWICZ.

NOTE ADDRESSED *by the* **PLENI-  
POTENTIARIES of the NETHER-  
LANDS, to the CONFERENCE.**

*London, May 29, 1832.*

“ The Government of the Netherlands, in approving of the contents of the note which the undersigned had the honour to address to the plenipotentiaries of the five courts, under the date of the 7th instant, has charged them to declare, as the final answer to the note of their excellencies of the 4th, that it remains disposed and ready to negotiate with the Conference for the purpose of understanding the conditions on which Belgium shall be separated from Holland. So long as this object remains to be accomplished, there can be no expectation that the king of Holland will recognize the political independence of a new Belgian state, and of the sovereignty of the prince of Saxe-Coburg ; but the moment the plenipotentiaries shall conclude, and shall sign this treaty of separation with the five Courts, his majesty will not object in the least to make, conclude, and sign, with Belgium on the basis of such a treaty, and it will use the utmost dispatch in forwarding instructions and ample special powers for this purpose.

“ The undersigned have received orders to declare to the Conference the communications addressed to it.



on the 30th of January last, and to make known to the plenipotentiaries, by means of a note, the condition in which the government of the Netherlands is placed, in consequence of the negotiations which, from that epoch, the court of Russia has opened with Holland, and to which the Legations from Austria and Prussia at the Hague have declared that they were joined and do still adhere.

“ If, contrary to all expectations, a careful and impartial examination of these documents do not lead to the wished-for arrangement, the king will continue to invoke the execution of those engagements which the five Courts contracted to carry into effect in favour of, his majesty, by the annex A of the 12th protocol. But the undersigned are disposed to cherish the hope that it will not be long before they will learn from the Conference their opinion of the present modified proposals of their government. It will then be easy to see on what articles all are agreed, both in details and in substance, and what others are of a nature to require further explanation. In all cases the answer of the Conference would appear to be the most convenient method of inducing a favourable turn in the negotiations; and, in the confident expectation that such an answer will be given, the undersigned pray, &c.

(Signed)

“ FALCK.

“ H. DE ZUYLEN DE NYEVELT.”

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PROTOCOL No. 63, of the CONFERENCE held at the FOREIGN-OFFICE, MAY 31, 1832.

Present, &c.

“ The plenipotentiaries of the five Courts are re-assembled in Conference to consider the subjoined

note A, which has been just addressed to them by the plenipotentiaries of the king of the Netherlands and which the government of the Netherlands declares, must serve as its final answer to the communication of the 4th instant, addressed to its plenipotentiaries by the Conference.

“ The plenipotentiaries of the five Courts, having examined the tenour of the note in question, have come to the resolution of declaring to the Netherlands' plenipotentiaries, that the note of the verbal communication of the 29th instant, and in which are specified the demands of the government of the Netherlands, is, word for word, the same with that which was addressed more than two months ago to Count Orloff at the Hague, and which induced him to postpone the declaration of the 22nd of March last. Let the plenipotentiaries of the Netherlands then judge, after this fact, if the demands contained in the note in question are admissible in the eyes of the courts whose plenipotentiaries are assembled in Conference in London, and if the latter can discover in this note an answer to their communication of the 4th of May, or any clue to the result of negotiations which are so essentially connected with the well-being of Holland and the tranquillity of Europe, and let it then remain for the London Conference to occupy itself with resolutions which the importance of the circumstances require at its hands.

(Signed)

“ WESSENBURG.

“ TALLEYRAND.

“ BULOW.

“ MATUSZEWICZ.

“ NEUMANN.

“ PALMERSTON.

“ LIEVEN.”

*Protocol No. 64, of the Conference at the Foreign Office, London, June 10, 1832.*

Present; — The plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

The plenipotentiaries of the five Powers having assembled in Conference, before determining the course of proceeding to be pursued, the plenipotentiaries remarked that the note presented to them from the plenipotentiaries of the Netherlands, dated the 29th ultimo, and the verbal note annexed thereto, refer them in an official manner to a project of a treaty, communicated by the said plenipotentiaries of the Netherlands to the London Conference on the 31st of the preceding January, whereby an official character is given to the said project, of which, at the time, merely a confidential communication was made.

This last circumstance had induced the plenipotentiaries of the five Courts not to include the project thus submitted to them among the acts of the Conference. The plenipotentiaries of the five Powers even gave no answer thereon, considering that the proposed treaty was intended merely to regulate the separate and independent administration of Belgium; whereas the negotiations carried on with the court of the Hague since the month of June, 1831, have had for their object the adoption by Holland of the conditions of the political separation and independence of the Belgic state, and the recognition of its new sovereign.

The project of the 31st January, submitted on the part of the Netherlands, thus unexpectedly disturbed the labours of the Conference, and this was done after a period of seven months had been

occupied in deliberations, during which his majesty the king of the Netherlands had not protested against the establishment of a new sovereignty in Belgium, but only against some acts of the sovereign of that country — had allowed, without any kind of protest, a plenipotentiary from the new sovereign to be accredited with the Conference, and even had received, through his own plenipotentiaries, communications made to them by the London Conference, in consequence of propositions and observations of the Belgic plenipotentiaries acting in the name of the king of the Belgians.

Seeing that his majesty the king of the Netherlands has, at a period when such was least to be expected, thus changed the whole state of the negotiations which have for six months existed with Holland, and rendered the prosecution of the same impossible, nearly all the plenipotentiaries assembled in the London Conference were obliged to ask for fresh instructions from their Courts, who hastened to make known to his Netherlandish majesty the just surprise and sincere regret which they felt on account of the project treaty of the 31st of January, 1832, which he had proposed, a project which appears to them to be altogether impracticable.

Meanwhile, as the said project has now been officially brought forward by the plenipotentiaries of his majesty the king of the Netherlands, the plenipotentiaries of the five Courts consider themselves bound to annex the same to this protocol, for the right understanding of their acts, and to prove that the delay occasioned by the communication of the Netherlands project of a treaty, dated January 31, 1832, can in no case be held to

the charge of the London Conference.

WESSENBURG.  
TALLEYRAND.  
BULOW.  
MATUSZEWICZ.  
NIEUMANN.  
PALMERSTON.  
LIEVEN.

*Note by BELGIUM to the CONFERENCE.*

“The undersigned plenipotentiary of his majesty the king of the Belgians, has had the honour of receiving the note, which have been pleased to address to him, under the date of the 11th of June, the ambassadors of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, and he hastened to have the contents thereof brought to the cognizance of his government.

“It results from this note—  
1st That the Conference considers as an indispensable prelude to all ulterior negotiations, the complete evacuation of the respective territories between Belgium and Holland, the free navigation of the Scheldt, and of the Meuse, and the use for the commercial relations of Belgium with Germany, of the existing roads. 2nd. That the negotiations to which some dispositions of the treaty of the 15th of November could as yet give an opening, cannot be understood but as negotiations of mutual arrangement between Belgium and Holland;—negotiations, which if they did not bring about results of a nature to be accepted by Belgium, would leave the treaty subsisting in it entire.

“The Belgian government would have thought it mistook the spirit of equity that animates the Conference, in doubting that

the Conference had not approved fully of the proceeding, which it considered itself entitled to adopt, in consequence of the common sanction given by the five Courts to the treaty of the 15th of November; nevertheless, the Belgian government experienced a delay in receiving, on the part of those Courts, the formal manifestation of their approbation. That approbation is found in the note of their excellencies the plenipotentiaries, dated the 11th of June, but the Belgian government could not but feel regret on finding, that in that note, their excellencies had passed over in silence many important points, treated by the undersigned in the note of the 1st and 8th instant, and to which conformably to the orders of his sovereign, the undersigned again takes the liberty of calling anew, and in the most pressing manner, the attention of the Conference.

“In the two notes already specified the undersigned had the honour of proposing—

“To fix the epoch after which there will be ground for placing to the charge of Holland the expenses of the armaments supported by Belgium, and of considering the latter as freed from the payment of the arrears of the debt.

“To fix also the epoch at which the execution of the treaty of the 15th of November is to be brought about by the employment of means of coercion.

“The undersigned cannot doubt that these propositions are not conformable to the views of the five Courts: they are besides based on the public rights of Belgium.

“In effect it is incontestable that it is to the charge of the Dutch government that are to be attributed all the delays experienced

in the negotiations, since the day when the Conference found itself, by the declared wish of the parties, and by the force of things, invested with a supreme arbitrage; it is, therefore, on that one of the parties who persists in declining the effects of the arbitration, that the consequence of those delays, ought to fall.

By adhering purely and simply, since the 14th of November, 1831, to the twenty-four articles, Belgium has a right to consider herself for the future placed beyond the necessity of maintaining her armaments; and she has not maintained, and much less augmented them, but, in consequence of the non-adhesion of the king of Holland; if she subscribed to the onerous conditions imposed on her by the treaty of the 15th of November, it was chiefly from the very plain consideration that the state of war ought immediately to cease, and to procure for her a compensation for her sacrifices.

"This compensation has become a failure; and the Belgian government has continued to defray the expenses of an armament that each month exceeds 3,000,000 florins, and which, by consequence, surpass by far the arrears of the debt. Belgium can therefore receive, in the sole freedom from those arrears, the indemnity to which she has a right.

"After the refusal (now well known) of the government of Holland to accede to the last propositions of the Conference, it is beyond all doubt that the declaration of the loss of all claims to the arrears will not, by itself, become a measure of a nature to bring about the execution of the treaty of the 15th of November on the part of that government. The Conference ought, at this period, to be con-

vinced that that resolution cannot be obtained but by means of coercion, to which it is the more necessary to have recourse, as it has become indispensable to put an end to the political uncertainties, the prolongation of which will not fail to produce, within a short period, the most serious consequences for the peace of Europe. As the results of the preceding facts and considerations, the undersigned has the honour to demand formally from their excellencies the plenipotentiaries of the five Courts—

"1. That from the date of the 1st of January, 1832, to the peace, the expenses of the armaments supported by Belgium shall in full right be placed to the charge of Holland, to the amount of 3,000,000 florins each month, and that Belgium be authorized to deduct those expenses from the sums which she owes or may owe to Holland.

"2. That, as the Dutch government has not consented to the previous evacuation of the territories and places recognized to belong to Belgium, as well as to the enjoyment of the navigation of the Scheldt, and of the Meuse, and to the use, for the commercial relations of Belgium with Germany, of the existing roads, the Conference will please to order immediately the employment of the means of coercion necessary for obtaining this end.

"The undersigned flatters himself these demands will receive a favourable consideration from their excellencies the plenipotentiaries of the five Courts.

"If, contrary to all expectation, it should prove otherwise, his majesty the king of the Belgians will find himself forced to take measures proper for bringing about a

termination of a state of things, which the hope of seeing brought to a speedy close could alone have induced him to support so long. The sacrifices to which he has consented in favour of the general good, are sufficiently numerous to prove, that he cannot then be exposed to the reproach of having subjected the peace of Europe to a crisis, of which from the present moment, he rejects all the responsibility.

“The undersigned embraces with eagerness this occasion to offer to their excellencies the renewed assurance of his highest consideration.

(Signed) “GOBLET.

“*London, June 29, 1832.*”

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NOTE SENT *to the* CONFERENCE  
by the DUTCH PLENIPOTENTIARIES.

“To their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

“*London, June 30, 1832.*

“By a note of the 11th of this month, emanating from their excellencies the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, the plenipotentiaries of his majesty the king of the Low Countries had the honour to receive a project of a direct treaty between Belgium and Holland. They also found a demand made, to know from them, if, on the supposition that Belgium should accept this direct treaty, that said treaty, and the treaty to be concluded between Holland and the five Powers, would receive the assent of his majesty the king of the Low Countries.

“The said note and the annexes having been transmitted to the

government of the Low Countries, the undersigned plenipotentiary of his majesty the king of the Low Countries has been charged to lay what follows before the Conference.

“These projects carry with them the recognition of the 24 articles, to which the government of the Low Countries has declared it cannot accede.

“In effect, in article 2, of the project of treaty between the five Courts and the Low Countries, it is found that the twenty-four articles are invoked with their explanatory articles, as necessarily forming the conditions of separation, and as having the same force and value as if they formed an integral part of a treaty between Holland and the five Powers; and, according to the same article, they are to be transformed immediately into a treaty between Holland and Belgium.

“The three explanatory articles are not of a nature to remove the difficulties which arise respecting the signature of the said twenty-four articles.

“The first, notwithstanding the six weeks granted for the exchange of the ratifications, orders the respective evacuation of the territories for the 20th of July,—an evacuation which cannot be consented to, so long as an understanding is not formed as to the conditions of separation.

“According to the 2nd explanatory article, commissioners were to assemble at Antwerp, to negotiate by mutual arrangement on the articles 9 and 12, the execution of which is to be suspended until the definitive conclusion of the said negotiations. The execution of those articles, supposed their existence real, and their simple suspension, renders always their execution possible at a late period.

Besides, the treaty with the five Powers, and that with Belgium, will lose all their force, if objects such as those contained in articles 9 and 12, in which general principles, and not particular dispositions, are treated, were postponed to ulterior negotiations, which may be difficult to terminate. To open those negotiations in Belgium would be also to wound anew the dignity of the Netherlandish government.

“ This article terminates by the stipulation that the free navigation of the navigable rivers which traverse or separate the Belgian and Dutch territories, shall be subject to the same rates of passage-money as now exist. This stipulation can have no result for the Low Countries, as the king has formed the resolution of continuing an impassible spectator of the navigation of the Scheldt, as there did not remain to him, since January, 1831, but the choice of preventing the navigation by arms, or of consenting thereto; by which resolution no dues are consequently received on the Scheldt.

“ The 3rd article bears relation to the capitalization, and not to the liquidation, of the debt. The postponement of those subjects to a future and unfixed negotiation is not admissible, since the admission of such entreaty would have for effect to assure immediately to Belgium the enjoyment of the advantages promised to it, while no guarantee would be given to the Netherlands for the conditions in which they are concerned.

“ In a verbal note of the 11th of June, the Conference makes mention of its note of the 4th of January, 1832, in which a decision was pronounced on several points of the treaty of the twenty-four articles. The Conference adds,

that if doubts should arise on the sense or execution of this treaty, the declarations contained in the memorial of the 4th of January, 1832, were to be regarded as the opinion of the five Courts on the reciprocal engagements resulting from this treaty.

“ The opinion expressed by the Conference in this verbal note, does not seem sufficient to tranquillize the Netherlands as to the execution in the sense of the articles, on the subject of which the note of the 1st of June, 1832, had pronounced itself favourable,—that is, on the articles 7, 8, 10, 17, 23, and 24, independent of the amelioration of article 9, and the abandonment of the servitude in Limburg imposed by articles 10 and 12. The following observations are submitted to the Conference on those points:—

“ The treaty is to be finally executed by the Netherlands and Belgium, and this latter country has never given in its adhesion to the memorial of the Conference of the 4th of January; it is clear that it will not then consider itself bound by that act.

“ The Conference having of its own accord offered modifications to articles 7, 8, 10, 17, 23, and 24; and the cabinet of the Hague having accepted them by its note of the 30th of January, this treaty establishes between the cabinet of the Hague and the representatives of the five Powers, an obligation which necessarily ought to receive a legal fixity, in conformity with the diplomatic forms in usage. If the reciprocal obligations that result from the modified articles do not obtain this legal force, they would become, in their application, an inexhaustible source of discord. The cabinet of the Hague would be obliged, in all cases of differences, to address itself to the five Powers,



for the purpose of obtaining the application of the modifications, which not being comprised in the articles, might give ground for opposite sentiments between the five Courts.

“ Finally, the opinion of the Conference expressed on the 4th of January, 1832, on the subject of the 24 articles, and according to which, it did not seem to think about interfering its good offices, in order to prolong from fourteen days to a month the reciprocal evacuation after the exchange of the ratifications, is in direct opposition with the first modified article, which appoints a determined day.

“ Independent of the remarks made by the court of the Hague, on the 24 articles, the epochs fixed in the 14th article are no longer in accord with the payments which are to take place, since the Low Countries have not only effected the payment of the half year, due on the 1st of January last, but besides procured the funds necessary for the payment of the dividends of the half-year, ending on the 1st of July current.

“ From these motives the answer cannot be otherwise than negative to the question of supposing Belgium shall have given its assent to the project of an arrangement between the two aforesaid countries ; in such case, this project, and that of an arrangement between the five Powers and the king, would obtain the approbation of his majesty. But at the same time the Court of the Hague has endeavoured to find appropriate means in the actual state of the requisitions, to satisfy the dissident parties on the points of difference.

“ The court of the Hague believes that it has succeeded therein, by the annexed project of a treaty between the king and the five

Courts, tending to regulate the separation of Belgium from Holland, and containing the treaty to be formed between Holland and Belgium ; a project which the undersigned is charged to offer to the Conference, and which he has the honour of doing in the subjoined note.

“ The plenipotentiaries of the five Powers assembled in Conference in London, will find therein a new proof of the desire of the government of the Low Countries to put an end to the existing difficulties, of which an example would be in vain sought after in the annals of diplomacy, and without abandoning itself to the chances of posterior negotiations.

“ The undersigned hope that their excellencies will fully appreciate the pacific sentiments which this project will give rise to, and will deign to honour him with a favourable answer in as short a delay as their Conferences will allow.

“ He is also charged to state, that these new sacrifices for the preservation of peace, made by the king, are too hard, not to be the last ; and at the same time he is charged to add, in the most formal manner, that if the five Powers shall not succeed in coming to a full understanding among themselves on the contents of this project, it is to be considered as null and of no avail ; that the king reserves to himself most expressly the right of maintaining, by all the means which Divine Providence has placed within his power, the conditions of the annex A of the 12th protocol, without acknowledging either the political independence of Belgium, or prince Leopold of Saxe Coburg, as long as he shall not have received acceptable conditions ; that the king rejects the responsibility of the

difficulties which may arise, and to which the Conference has made allusion, and which his majesty shall not have provoked; and that he will never neglect his honour nor the supreme law of nations, that sacred and imprescriptible law, from which no state has ever deviated with impunity, and which leaves to every government of a free people its own will as the last arbitrator of its rights.

“The undersigned seize the opportunity of, &c.

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**DUTCH PROJECT of TREATY between his MAJESTY the KING of the NETHERLANDS on one part, and the Courts of AUSTRIA, of FRANCE, of ENGLAND, of PRUSSIA, and of RUSSIA, on the other, 30th of JUNE, 1832.**

1. His majesty the king of the Netherlands is ready and engages himself to cause to be concluded and to sign by his plenipotentiary, the treaty mentioned in the following articles, when it shall be signed by the representatives of the five Powers.

2. The five Powers declare that the treaty mentioned in the preceding articles, which has been matured in the Conference, which their representatives constitute at London, contains the dispositions which they desired to see carried into effect for the re-establishment of good understanding and of peace between the five parties interested, and for the maintenance of the peace of Europe, which treaty guaranteed by the said Courts is of the following tenour:—

*Treaty between Belgium and Holland.*

**ARTICLE I.** The Belgic territory shall consist of the provinces of

Brabant, south of Liege, of Namur, Hainault, Flanders west and east of Antwerp, Limburg, such as they belonged to the kingdom of the Netherlands, established in 1815,] with the exception of the districts of Limburg designated in article 3.

The Belgian territory shall comprise further the part of the territory of the grand duchy, designated in article , upon condition of obtaining the consent of which it makes mention.

II. His majesty the king of the Netherlands, grand duke of Luxemburg, consents, in consideration of the approbation of the male issue of the house of Nassau, and of the Germanic Confederation, that the frontiers which shall separate the grand duchy of Luxemburg from the territory shall be traced as follows:—To commence from the French frontiers between Rodauge, which will remain with the grand duchy of Luxemburg, and Athus, which will belong to Belgium, there will be, according to the annexed map, a line drawn, which leaving the road of Arlong to Linguy, the town of Arlong, with its territory, and the road of Arlong to Bastogne to Belgium, between Mesauetz, which will remain to Belgium, and Clemency, which will remain to the grand duchy, will pass by Steenfurt, which will likewise remain to the grand duchy. From Steenfurt this line will be prolonged in the direction of Eischen, Hebus, Guirsch, Oberpalen, Grend, Nothomb, Paret, and Peole, as far as Martelange; Hebus, Guirsch, Grend, Nothomb, and Paret, will belong to Belgium; and Eischen, Oberpalen, Perle, and Martelange, to the grand duchy; from Martelange this line will follow the course of the Sure, the towing-

path of which will serve as a boundary between the two states, as far as opposite to Tintage, from whence the line will be prolonged in the most direct manner possible to the actual limits of the arrondissements of Diekirch, and all parts between Surlet, Harlange, Jescamps, which it will leave to the grand duchy, and Heuville, Livarchamp, and Loutermange, which will remain to Belgium. Hence, in the environs of Doncols and Zoule, which will remain to the grand duchy, touching at the actual frontier of the arrondissement of Diekirch, the line will follow it as far as the Prussian territory. All the territory, all the towns and places situate on the west of this line, will belong to Belgium, and all the territory, towns, and places, on the east, will continue to belong to the grand duchy of Luxemburg.

It is understood that the commissioners for fixing the boundaries alluded to in article 4, in drawing the line, and conforming themselves as much as possible to the place abovementioned, and also to the marks in the chart subjoined to the present article, will pay attention to the local situation and to the convenience of both parties.

His majesty the king of the Netherlands, grand duke of Luxemburg, will make the necessary efforts to obtain the consent abovementioned.

III. With a view to the execution of that part of article 1 which regards the provinces of Limburg, the territories of which the boundaries are pointed out below, shall continue to form part of the kingdom of the Netherlands.

1st. On the right bank of the Meuse to the Dutch detached

pieces of territory on the said bank to Limburg, shall be added the districts of the same provinces on the same bank, which, in 1790, belonged to the States-general, so that that part of the present provinces of Limburg which is situated on the right bank of the Meuse, and is comprised between that river on the west, the frontiers of Prussia on the east, the present boundary of the province of Liege on the south side, and Dutch Guelderland on the north, shall henceforth belong to the kingdom of the Netherlands.

2nd. On the left bank of the Meuse, a line, commencing at the most southern point of the Dutch provinces of North Brabant, shall be drawn according to the annexed chart, which, from below Wessem, shall enter that place and Stevenswardt, and then touch upon the Meuse at the point where, on its left bank, the boundaries of the present districts of Ruremonde and Maestricht join, so that Begerotte, Hambroy, Neer-Heren, Hervoor, and Thorn, with their territory, as well as all the other places to the north of that line, shall form part of the Dutch territory.

The former Dutch detached pieces of territory in the province of Limburg, on the left bank of the Meuse, shall belong to Belgium, with the exception of the city of Maestricht, which, with a suitable circle of territory of at least 1,200 brasses diameter, reckoning from the out glacis of the fortress on the said bank, shall continue to belong, in full sovereignty and property, to his majesty the king of the Netherlands. The circle thus spoken of shall moreover be further regulated by the commissioners of boundaries mentioned in the following article :—

IV. In consequence of the above arrangements respecting territory, each of the two parties cedes respectively and for ever all right over all the territories, towns, places, and cities situate within the boundaries of the possessions of the other party.

The said boundaries shall be marked out by Dutch and Belgian commissioners, who shall assemble at Maestricht.

V. Holland will regulate in the most convenient manner the evacuation of the waters of Flanders. It consents, even, with a view to this object, to use being made of its territory. The sluices which shall be established for that purpose on the Dutch territory shall be subject to its authority. None can be constructed on its territory which may be injurious to its defence. Within a month after the exchange of the ratification there shall be appointed on both sides commissaries for deciding on the most suitable places for the establishment of the said sluices. They will understand with respect to those which are to be subjected to the common authority.

VII. The arrangement from art. 103 to 117, inclusive, of the treaty of Vienna, shall be applicable to the waters and navigable rivers, which, where they flow, separate the Dutch and Belgian territory. The Dutch government undertake to establish duties and pilotage on the Scheldt, at a moderate rate, and to take care of the preservation of the *embouchure* of that river into the sea. These duties shall be the same both for Belgian and Dutch commerce.

The said government will adopt provisionally for the Scheldt the tariffs of the convention arranged for the free navigation of the

Rhine, signed the 31st of March, 1830, at Mentz, and also the other arrangements of that convention, so far as they are applicable to the Scheldt. But with regard to the assimilation of the navigation of the Scheldt to that of the Rhine, it will be necessary, in order to render it definitive, to have a special convention.

VIII. The use of the canals which traverse both countries shall continue to be free to the inhabitants of both. It is understood that this shall be upon the same conditions, and that both parties can only establish moderate duties upon these canals.

IX. Paragraph 1. Reckoning from the 1st of July, 1832, Belgium, on the division of the public debt of the kingdom of the Netherlands, shall remain charged with an annual *rente* of 8,400,000 florins of the Netherlands. Within fifteen days after the ratification of the present treaty, the Belgian and Dutch commissioners shall open at Utrecht negotiations for capitalizing that *rente*. If, within two months, these commissioners cannot agree upon the capitalization, and if thus the *rente* remains fixed at 8,400,000 florins, the *reliquats* which, in consequence of paragraph 5 below, may result on both sides, shall be considered as compensated, and the compensation shall no longer be accounted for. In that case the capital of the said *rente* shall be transferred to the debit of the great book of Amsterdam, or from the debit of the general chest of the kingdom of the Netherlands to the debit of the great book of Belgium.

Paragraph 2. In the same case the said sum of 8,400,000 florins of the *rente*, and the capitals which it represents, shall be inscribed in the

debit of the great book of Belgium, and considered as forming part of the Belgian national debt, and Belgium engages never to make either now or in future any difference between that part of its national debt and any other part of that contracted or which may be contracted.

Paragraph 3. The payment of the said sum of 8,400,000 florins of annual *rente* shall be regularly made in silver half-yearly at Brussels and at Antwerp, without any deduction.

Paragraph 4. On the payment of the said sum of annual *rente*, or its capitalization, Belgium shall be entirely discharged from the chief portion of the public debt of the kingdom of the Netherlands.

Paragraph 5. The commissioners mentioned in paragraph 1, shall proceed to the liquidation of the funds of the sinking fund, and of the bank of Brussels, in its character of cashier-general of the state.

Paragraph 6. The division of the obligations, called *domain les reinten*, shall take place in proportion to the property mortgaged, according as it may be in the one or the other territory, so that these domains may be represented by their sale price, not yet fixed, or they may still remain under mortgage.

Paragraph 7. The Belgian and Dutch commissioners in the event of the capitalization not taking place, shall occupy themselves, besides the said liquidation, with the transport of capital and *rentes*, which are to be placed to the charge of Belgium, to the amount of 8,400,000 florins, as already stated.

They shall proceed to the mutual surrender of archives, charts, plans, and other documents, which belong respectively to both parties, or have relation to their government.

X. Holland having alone made all the advances for the service of the whole public debt of the kingdom of the Netherlands, reckoning from the last half-year of 1830, it is understood that a portion of these advances calculated on the basis of the annual sum of 8,400,000 florins shall be reimbursed, with the amount of the general capitalization of this *rente* of 8,400,000 florins, if that capitalization takes place, or shall be paid separately by the Belgian treasury to the Dutch treasury, by instalments of 4,200,000 florins; in the latter case the first instalment shall be paid three months after the ratification of the present treaty, and the others every three months.

Upon all these different sums there shall be besides paid to Holland an interest of 5 per cent, from the 1st of January, 1832, until their full reimbursement.

XI. The port of Antwerp shall continue to be exclusively a commercial port, conformably to the treaties of Paris and Vienna, of 1814 and 1815.

XII. The works of general or local utility, such as canals, roads, &c., which have been constructed in whole or in part, at the expense of the kingdom of the Netherlands, shall remain with their charges and advantages to the territory in which they are situate.

It is understood that the capitals which have been borrowed for these constructions, or which are specially appointed, shall be comprised in the above-mentioned charges, in so far as they have not yet been reimbursed, or that such reimbursements, if they have taken place, may become the object of compensation.

XIII. The sequestration which, for political causes, has been placed



in Belgium upon any domains or patrimonial properties, shall be taken off without delay, and the lawful proprietor shall be immediately restored to the possession of the said property and domains. The present article is applicable to the property possessed by the house of Nassau, in Belgium. The stock of the king of the Netherlands in the bank of Brussels, and his majesty's annual revenue derived from that bank, shall be delivered up to the order of his majesty, to be enjoyed according to the terms of the statutes of the bank.

XIV. The inhabitants and proprietors in the two countries, the separation of which takes place in consequence of the present articles, shall be allowed, if they wish to remove their domicile from one to the other, liberty, during two years, to dispose of their property moveable or immovable, as it suits them, and to carry with them the value either in money or otherwise, without being obliged to pay any other duties than those now established in the two countries on the entrance or transit of goods.

It is understood that for the present and in future the *droits d'aubaine* shall be reciprocally abandoned between Holland and Belgium.

XV. There shall be no distinction between Dutch and Belgian subjects, as to the right of possessing property in Holland and Belgium.

(The articles from 16 to 19 only relate to the reciprocal rights of the inhabitants of Holland and Belgium as to their respective property, the oblivion of all political acts relating to the late events, the respective preservation to the Belgian and Dutch subjects of pensions and claims on the treasury, the

funds of widows and orphans, depots and consignations, &c.)

XX. Immediately after the exchange of the ratification of the present treaty, the necessary order shall be given respectively to the military commanders of the two armies for the evacuation of towns, fortresses, and places, of which the domination is changed.

The civil authorities shall also receive orders to surrender the towns, fortresses, and places, to the commissioners respectively appointed to take possession.

This evacuation and surrender shall take place in a month, or sooner, if possible.

XXI. The ratifications of the present treaty shall be exchanged at London in six weeks, or sooner if possible.

On the signature and ratification of the present treaty, and that mentioned in article 2, taking place, the union which existed between Belgium and Holland by virtue of the treaty of Vienna of the 3rd of May, 1815, is declared dissolved.

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NOTE from GENERAL GOBLET to the CONFERENCE of LONDON.

“The undersigned plenipotentiary of his majesty the king of the Belgians has had occasion to remark, that in the discussion which has arisen within the Conference, that not only the end of the mission, with which he is charged to their excellencies the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, has been altogether left out of sight, but that the Conference itself has considerably varied from the line of conduct laid down in its anterior acts; it is with the



deepest regret that the undersigned has seen the new tendency which it is wished that the negotiation should take; and in this state of things, he feels himself obliged to recall anew to the attention of their excellencies, some of the acts laid down as null by them, as by him and his government, for the purpose of replacing the question on its true basis.

“In the note of the 1st of June, the undersigned had the honour of offering to the consideration of their excellencies the plenipotentiaries, the fact ‘that he was charged by his government to call the attention of the Conference to the immediate execution, of which the treaty of the 15th of November was susceptible in its principal parts, and to declare that his majesty the king of the Belgians considered it his right, and that his government had taken the resolution of not participating in any negotiations on the points forming the object of the reserves, before the evacuation of the territory irrevocably recognized to belong to Belgium.’ He then added, that this proceeding not only could not be reprovèd by any of the acts laid down by M. Van de Weyer, but that it seemed to him to be of a nature to be approved of by the Conference; ‘it would in effect be to misconceive his intentions, to suppose, that after six months’ delay the negotiations could be reopened, unless the treaty of the 15th of Nov., designed as it was to close them definitively, had received a commencement of execution.’

“Already the nature of the relations which the undersigned was appointed to carry on with the Conference being found expressly defined by the declaration, as al-

ready re-stated, the cognizance of the notes of the dutch plenipotentiaries, dated the 7th and 29th of May, furnished him with an occasion of reiterating it in his note of the 1st of June, in which he added, that ‘the treaty of the 15th of November had become the public right of Belgium, and that it was the duty of his government to maintain it.’

“The answer which their excellencies the plenipotentiaries of the five Courts was pleased to make to those two notes on the 11th of June last, has the end of approving the proceeding which the government of his majesty the king of the Belgians had believed itself to have the right to adopt, in consequence of the sanction with which the five Courts had invested the treaty of the 15th of November, by adopting towards the cabinet of the Hague proceedings adapted to establish, as soon as the reciprocal examination shall have been effected, negotiations on a mutually amicable footing between the two countries, on the subject of which difficulties had arisen; the Conference had recognized to Belgium the right of demanding, before all, the evacuation of the territory.

“After an act so positive, the undersigned could not, without sentiments of the most lively surprise, see the Conference raise doubts on the rights already recognized by it. In this state of things, he cannot avoid reiterating the formal declaration, that his sovereign will not consent to any negotiation on those of the twenty-four articles which are susceptible thereof, before the reciprocal evacuation of the respective territories; and referring, at the same

time, for all the other points, to his note of the 29th of June, he believes it to be his duty to inform their excellencies that he should find himself under the necessity of repelling every proposition contrary to the resolution which has been thus declared anew.

“Belgium and her king, were they even obliged to expose themselves to the chances of the most uncertain future, will never admit the possibility of a want of faith in the five great Powers of Europe. The engagements, of which the undersigned claims the execution, were not conceded to Belgium—they were imposed upon her by those said powers; and is it they who would now cease to recognize them? Far from them be such a thought, the realization of which would without doubt produce consequences the most fatal to the peace of Europe.

“The undersigned embraces the opportunity, &c.

“London, July 7,  
“GOBLET.”

NOTE by HOLLAND to the CONFERENCE, SEPTEMBER 20, 1832.

*To their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London.*

London, Sept. 20, 1832.

By their protocol of the 27th of January, 1831, No. 12, their excellencies the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, fixed the bases destined to establish the separation of Belgium from Holland. They decreed that the five Courts, unanimously agreed on the said

bases, would communicate them directly to the parties directly interested; and that they would concert on the best means to make them be adopted and executed. The king of the Netherlands, having adhered to these bases, considered them, since that adhesion, as an act determining the reciprocal obligations between his majesty and the five Powers, and claimed their being put into execution in Belgium, where they had been rejected.

The conference at London did not follow up this claim. On the 24th of October, 1831, it agreed on a new basis of separation, in 24 articles, which, as was expected, were accepted by Belgium. On the 11th of November, 1831, they were included in a treaty between the plenipotentiaries of the five Courts and Belgium, and ratified at a later period by the contracting parties, with reserves on the part of three powers, admitted by the other two. The king of the Netherlands, without renouncing in any way the right acquired by his accession to the basis of the 27th of January, 1831, consented to follow, as much as possible, the Conference on the new ground it had just chosen; and his majesty, on adopting the disposition of the major part of the 24 articles, confined himself to claim modifications in the contents of some of these articles.

The desire of the Dutch government to co-operate in a measure likely to strengthen the maintenance of general peace, engaged it to contract successively, in the course of negotiation, the circle of the modifications claimed.

By a note of the 30th of June, 1832, the undersigned plenipo-

tentiaries of his majesty the king of the Netherlands had the honour of presenting to the Conference a project of treaty, in which his majesty consented to obviate the difficulties arising from the two questions specially bound to the rights of the king, and the interest of the nation, that of territory and of the public debt. The impression made by this project in London seemed favourable. On some observations made by the Conference at the assembly held at the foreign office on the 6th of July, and in his note of the 10th of the same month, the undersigned, in consequence of additional instructions from his Court, offered, in a note of the 25th of July, fresh advantages relative to the navigation of the inland waters, and to the commercial communications with Germany through Limburg. Other remarks had been made to him respecting more particularly the drawing up of the Netherland project, with which at the same time the Conference was occupied. They also became the subject of a scrupulous examination at the Hague, where, notwithstanding that several modifications prepared in the terms of the project might be judged to present serious inconveniences, every effort was made to adopt the major part of it. In consequence of this desire of overcoming these last obstacles, the undersigned was moreover authorized to consent, with a trifling change, to two new paragraphs proposed, relative to the pilotage of the passes, and to erecting light-houses on the Scheldt; and to the insertion in the treaty with the five Powers of an article on the consent of the Agnates of the House of Nassau, and of the Germanic confederation, to the terri-

torial arrangements; additions to which it was announced in London, that only the slightest importance was attached.

In consequence of this conciliatory progress, the proposals from the cabinet of the Hague were, in their principles and tendency, readily received, and judged fit to bring about a happy termination. From the 20th of July the diplomatic meetings opened in that view, and succeeded each other assiduously; a result to which the king attached great importance was at first obtained. The direct treaty between his majesty and the five Powers, the project of which, remitted on the 30th of June, had already, in the terms of the answer from their excellencies, dated the 10th of July, received mutual consent with respect to its substance, acquired it also with respect to its drawing up; and the undersigned congratulated himself in having to transmit to his court the information of a success which, by common consent, replaced the negotiation on the ground which it should never have left, viz. that of mediation.

With respect to the treaty to intervene between Holland and Belgium, the Conferences of the undersigned with his Britannic majesty's principal secretary of state for foreign affairs, or with his excellency baron de Wessenberg, were no less successful. Every thing thus seemed to predict in the first days of August the termination of the negotiation; and the stipulations respectively consented to by the court of the Hague and by the Conference at London, are at present so much agreed upon, that no consideration seems possible to delay their being signed. Nevertheless, the king has to regret to see,

that hitherto the Conference has adjourned the act so imperiously called for in the interest of a general peace.

At the same time the government of the Netherlands could not but know a fact, which, though not included in official and diplomatic communications, is no less of public notoriety, viz. that revolutionary Belgium, while at the Hague conciliatory steps were entered into, instead of following that example, has shown itself more averse to every arrangement, has refused every negotiation, has begun to increase its pretensions, and to multiply daily fresh exigences to such a height, as not only to reject what the Conference has already considered just and equitable, but even to abandon the very stipulations of the 24 articles, converted into a treaty between it and the five Powers.

The cabinet of the Netherlands, without examining whether this strange phenomenon be owing to the primordial principle of the insurrection, which sprung from disorder, is afraid of finding, in an established system, whatever it may be, the germ of its own destruction, or to other causes, has not concealed to itself that a longer silence on its side would expose it to have those sacrifices attributed to weakness, which have been solely dictated by its sincere love of peace.

In this state of things, the undersigned has orders to claim from the Conference at London, in as short a term as the matter will allow, the signing of the treaty of separation of Holland and Belgium, on the footing of the Netherland notes of the 30th of June and 25th of July, and of the modifications in the drawing it up, to which the

undersigned is authorized to agree, and to declare at the same time, in the name of his august sovereign, that his majesty, not possessing alone the means of maintaining European and public jurisprudence, has been obliged to submit to the law of necessity by multiplying his offers, but that the measure of concession is henceforward full, and that the king will never swerve, neither respecting the territorial rights and sovereignty of Holland, nor the vital principles of the existence of its inhabitants.

Political storms have passed over the head of his majesty, as as they have done over those of his august forefathers. Holland, under their auspices, has passed through centuries of crises, of trials, and of glory, and its experience, dearly purchased, proves that a nation triumphs even over the greatest misfortunes, as long as it has never failed towards its own dignity.

The king will take care that the fruits of this experience be not lost; and while he confidently awaits the result of the deliberations of the Conference at London, according to the degree of maturity at which the negotiation between it and the Netherland government has arrived, his majesty discards all responsibility as to the complications which fresh delays may occasion, and proclaims loudly that he will never sacrifice to the revolutionary phantom the vital interests and rights of Holland; that the free people over whose destinies he is called to preside, confiding in Providence, will be able to resist all that the enemies of public order and of the independence of nations may desire to prescribe to it; and that, if at the last extremity a

cruel destiny should deceive his religious expectation, that fatal issue would, at the same time, carry away with it the European system and the repose of the world.

The undersigned profits of this opportunity to reiterate to their excellencies the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, the assurances of his very great consideration.

H. DE ZUYLEN DE NYEVELT.

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THE ANSWERS *of the* BARON VAN ZUYLEN VAN NYEVELT, TRANSMITTED *to the* CONFERENCE *on the 26th of* SEPTEMBER, IN REPLY *to the* QUESTIONS *of the* CONFERENCE *of the 25th of* SEPTEMBER, 1832.

“Question 1. Is the Netherlands’ plenipotentiary furnished with full powers and the necessary instructions to negotiate and sign, with the Belgic plenipotentiary, under the auspices of the Conference, a definitive treaty between Holland and Belgium?”

“Answer 1. The plenipotentiary of his majesty the king of the Netherlands is furnished with full powers and the necessary instructions to sign with a Belgic plenipotentiary a treaty of separation, negotiated and concluded through the medium of the courts of Austria, France, Great Britain, Prussia, and Russia.

“Question 2. Is the Netherlands’ plenipotentiary ready to sign with the five Powers and with Belgium, a treaty containing the twenty-four articles of the 14th of October, 1831?”

“Answer 2. The cabinet of the Hague having, on the 14th of December, 1831, frankly and explicitly made known the objections

which presented themselves to their view to the complete adoption of the twenty-four articles of the 14th of October, and the Conference having in its answer of the 4th of January, 1832, done justice to some of these objections, they were put aside by mutual consent, as not being capable of a literal adoption. The further course of the negotiations having more and more narrowed the circle of difficulties, and the cabinet of the Hague having, by its official propositions of the 30th of June and the 25th of July last, fulfilled the conditions which the Conference by its protocol No. 59, and in its note of the 10th of July, had declared invariable or equivalent, the said plenipotentiary does not feel himself authorized to sign with the said five Powers and with Belgium a treaty purely and simply containing the twenty-four articles of the 14th of October.

“Question 3. Is the Netherlands’ plenipotentiary authorized to adopt the territorial arrangements, such as they are marked out in the twenty-four articles of the 14th of October?”

“Answer 3. The said plenipotentiary, on transmitting to the Conference the project of treaty of the 30th of June, proved himself by it to be authorized to adopt the territorial arrangements desired by the Conference, supposing that the faculty left to the king grand duke, with relation to Limburg, within new limits, leads positively to the annexation of that province to Holland.

“Question 4. In the treaty which the Netherlands’ plenipotentiary is ready to sign with Belgium, is the principle admitted, that the navigation of the Scheldt

shall be free to the ships of all nations, and that these ships shall not be subject to any delay, to any visit or examination of cargo, but, merely, without distinction of flag, to a moderate tonnage duty?

“Answer 4. A provisional measure, as to the navigation of the Scheldt, having been proposed by the said five Courts in the last lines of the 9th article of the said 24, the cabinet of the Hague has acquiesced; and that provisional measure, not having been made since the object of any official controversy, the Netherlands’ plenipotentiary finds himself authorized only to reproduce the same stipulation as he had the honour of transmitting in his project of treaty of the 30th of June,—a stipulation, besides, superabundantly confirmed in the note of the Conference of the 10th of July last.

“Question 5. Will the Netherlands’ plenipotentiary be ready to secure to the Belgians in the said treaty the navigation of the intermediate waters between the Scheldt and the Rhine, at a rate which will not exceed that of the tariffs fixed by consent of the riverain states for the navigation of the Rhine, in proportion to the regulated distances?

“Answer 5. The said plenipotentiary is ready, in conformity with his complimentary note of the 25th of July last, and with the explanations which have been subsequently given, to consider the diplomatic intentions to be to secure to the Belgians the passage of the interior waters.

“First,—Immediately after the exchange of the ratifications.

“Secondly,—On the footing of the most favoured nations.

“Thirdly,—According to the existing tariffs.

“Observing, however, that from the month of February, 1831, and on the occasion of the adhesion of the king to the bases of the separation, the cabinet of the Hague carefully avoided all misunderstanding with regard to the rivers and interior waters; and finding some ambiguity in the arrangement of the 3rd article as to these bases, it would not consent to their adoption without a conservative declaration given by Lord Palmerston, in the name of the Conference, destined to prevent all assimilation of the Meuse and the Scheldt with the internal waters, which internal waters, forming a territory exclusively Dutch, remain subject to the legislation of the country to which they belong exclusively.

“Question 6. Will the Dutch plenipotentiary adopt the arrangement of the 11th article of the 24 articles of the 14th of October?

“Answer 6. The Conference, in its note of the 10th of July last, having reminded the cabinet of the Hague that anterior notes on its part were far from refusing commercial communications, the nature and establishment of which should form the object of amicable arrangement, the said cabinet hastened, conformably to its note of the 14th of December, 1831, and to which the Conference alluded, to propose the following article for the regulation of the communications through Limburg:—“There shall be assured to Belgium all the facilities desirable for establishing her commercial communications with Germany through Limburg, especially by the towns of Maastricht and of Sittardt, excepting in cases of paramount and paramount necessity. The barrier-duty on the routes which, passing



through these two towns, lead to the frontier of Germany, and which routes shall be preserved in a good condition, shall be levied after a moderate rate only."

"Question 7. If the 12th article of the 24 articles should be suppressed in the treaty between Holland and Belgium, what would be the compensation which the Dutch government would offer in return to Belgium?"

"Answer 7. The undersigned plenipotentiary has no instructions upon the question. He is ready to apply for them.

"Question 8. Does the Dutch government adopt the 13th and 14th articles concerning the debt, such as they are set forth in the 24 articles, except the changes of date acknowledged to be necessary?"

"Answer 8. The said plenipotentiary adopts in general the articles concerning the debt, excepting the alterations in arrangement which the changes of date, the reciprocal capitalization, the liquidation agreeably to the order of the Syndicate, and a more explicit arrangement in respect to the *Losseuten* (redeemable bonds) render necessary. As to the article concerning the arrear, he must renew his protest against a material error which was introduced respecting this point into the calculations of the Conference in setting out from the date of the 1st of November, 1830, as from an epoch to which hitherto the royal treasure had been integrally made up from the taxes in Belgium, whilst the Netherlands plenipotentiary had quoted that date as the epoch at which the collection of the said imposts had integrally ceased.

"Question 9. If the liquidation of the sinking fund should not take

place except as a measure of order, what will be the compensation which the Netherlands' plenipotentiary would be authorized to propose to Belgium for its part in the active debt which will result from the liquidation, if it should take place?"

"Answer 9. The demand of compensation for reducing the liquidation of the Syndicate-bonds in the order in which they are drawn having given rise to diplomatic interpretations which have followed the delivery of the note of the 25th of July, and the proposition having been made to the Dutch plenipotentiary that this compensation should be founded on the defalcation of part of the arrears, this principle has been adopted by the cabinet of the Hague. If it be not yet agreed upon as to the proportion of the defalcation, it is because the negotiation which the Dutch plenipotentiary followed up with eagerness has been paralyzed by the communication of the refusal of Belgium to concur in it.

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PROTOCOL, No. 70, of the CONFERENCE held at the FOREIGN OFFICE, OCTOBER 1, 1832.

Present:—The Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

The plenipotentiaries of the five Powers of Austria, France, Great Britain, Prussia, and Russia, having met in Conference at the Foreign Office, the plenipotentiary of France said—

That at a former meeting he had, in conformity with the orders of his Court, and in consequence of the want of success in every attempt at negotiation between Holland and Belgium, demanded

that the Conference exclusively engaged in the means of procuring for Belgium the execution of the treaty concluded with her, should recognize as necessary the employment of coercive measures, which, it appeared, were alone capable of overcoming the resistance of the Dutch Government.

That that demand on his part, supported by the plenipotentiary of his Britannic majesty, had called forth on the part of the plenipotentiaries of the Courts of Austria, Russia, and Prussia, without discussing his motives, the expression of a desire that some means might be found to bring about the end proposed without an immediate recurrence to the employment of material force.

That the British plenipotentiary having then suggested that it would be possible to employ in the first place the measures proposed in the note of the Conference of the 11th of June, that he (the plenipotentiary of France) had admitted the proposition, having reserved to himself the right to call for the employment of more energetic measures in the event of those not proving sufficient for the attainment of their objects. That, in consequence of the preceding discussion, he now presented to the Conference, with the approbation of the plenipotentiary of his Britannic Majesty, the following plans upon which they had determined:—

“The plenipotentiaries of the five Courts assembled in Conference have again taken into consideration—

“1st. The report made to them at the meeting of the 24th of September, by the British plenipotentiary, of his private and con-

fidential communication with M. le Baron de Zuylen with regard to the circumstance and motives by which he had been dictated, and the strict silence which had been observed by the government of the Pays Bas.

“2nd. The note dated September 20th, in which the Dutch plenipotentiary, without replying in any way to the confidential communications which he had himself received and transmitted, renews, in the name of his Court, all its previous recriminations, and calls for the signature of a treaty of separation between Holland and Belgium, on the footing of the Netherlands notes of June the 30th and July the 25th.

“3rd. The memorandum of the 24th of September, explaining the situation in which the Conference finds itself in consequence of the refusals in which the cabinet of the Hague had persisted.

“4th. The series of questions addressed to the Netherlands plenipotentiary in the Conference of the 25th of September, with the written replies sent on the morrow, the resumption of explanations added verbally, and the observations which were made on the subject of these same replies.

“After a strict and careful examination of these documents, the plenipotentiaries of the five Courts are convinced that if already the refusal of the cabinet of the Hague to adhere to the 67th protocol of July the 11th, had necessarily suspended all official acts, on the part of the Conference, for the negotiation of a definitive treaty between Holland and Belgium, the silence observed with respect to the private and confidential communications of the British plenipotentiary, the re-

peated presentation by the government of the Netherlands of a project of a treaty which the Conference had declared inadmissible, and the last replies made by the Dutch Plenipotentiary to the questions which the Conference had deemed it their duty to address to him, have equally shut out the adoption of any confidential proceedings, and no longer leave any hope that the government of the Netherlands can be brought by ordinary means of negotiation to a direct settlement of Belgium, even after the proofs given that the latter would not refuse to negotiate upon the modifications which were the object of the complaints of Holland, as well as certain reserves and declarations on the part of the Courts of Russia, Prussia, and Austria.

“Having, therefore, been fully persuaded that there was a duty which they had to perform, that of procuring for Belgium the execution of the treaty concluded with her, the plenipotentiaries of the five Courts have resolved at once to give effect to the threatening declaration which ended their note of the 11th of June, expressed in the following terms:—

“The Conference cannot too often repeat it, these facilities are the only ones it can offer to his Majesty the king of the Netherlands; and it cannot dissemble the fact, that if he does not make use of them before the expiration of a short period, he will no longer prevent it from putting a stop to new delays which might succeed so many previous ones, and that very serious consequences may accrue to Holland, one of the most important of which would be the downright refusal to pay, on the part of Belgium, from the 1st of

January, 1832, the arrears of her quotient of the debt of the united kingdom of the Netherlands, forced, as she would be, to employ the amount of the same in the legitimate defence of her territory.

“As it is evident that the refusal to adhere to the propositions of the 11th of June, renewed on the 11th of July, but at the same time declared to be the last which would emanate from the Conference, and the menacing attitude offered by Holland to Belgium, have caused the latter, for the purpose of making preparations for the legitimate defence of her territory, expenses for which she is to seek indemnity, the Conference would not itself urge such a measure if it had not been declared by the following resolution:—‘That Belgium will be justified in refusing from the 1st of January, 1832, and until the conclusion of a definitive treaty with Holland, the payment of her quotient of the debt of the quondam united kingdom of the Netherlands.’

“Moreover, and as the fundamental basis of the treaty concluded with Belgium the 15th of November last is the settlement of her territory, the Conference cannot refuse to seek means for the purpose of putting her in possession of the city of Antwerp, and surrounding points which belong to the same. The first which presents itself, without prejudicing the more serious measures indicated in the note of the 11th of June, and of which it is necessary expressly to make a reserve, would be to reimburse her for the pecuniary expense of a defence which the occupation of the citadel of Antwerp by the Dutch renders every day more indispensable; at the same time that it forms the

principal cause of agitation, which being propagated in Belgium and the neighbouring countries, keeps Europe in a state of suspense, and deprives her of the advantages she was led to expect from a general disarmament.

"In consequence, therefore, of these considerations, the plenipotentiaries of the five Courts declare, that if on the 15th of the present month the citadel of Antwerp, the points adjacent, and other places forming part of the Belgian territory as defined in the treaty of the 15th of November, be not evacuated by the Dutch troops, they will recognize on the part of Belgium the right of deducting, for every week the evacuation shall be delayed, one million of florins from the arrears of the debt due from her up to the 1st of January, 1832, and lastly from the capital portion of the debt considered to be her share; expecting in the mean time that the evacuation above-mentioned will take place as soon as possible, Belgium will on her part evacuate Venloo and the other places occupied by her, which are not comprised in the territory which has been assigned to her."

The plenipotentiary of his Britannic Majesty declares that he entirely approves of the proposition coming from the French plenipotentiary, and that he finds it perfectly conformable with the suggestion he has himself made at the last meeting of the Conference.

In reply to the plan of determination proposed by the Plenipotentiaries of France and Great Britain, the plenipotentiaries of Austria, Prussia, and Russia declare—

1st. That they highly disapprove of the final determinations of the government of the Nether-

lands, as referring to propositions which the Conference of London had judged inadmissible; as rejecting the explanations which confidential communications had demonstrated to be indispensable, and on the subject of which a complete understanding seemed to have been already established with the plenipotentiary of the Netherlands himself; as insisting on stipulations evidently of an illusory nature; and, finally, as proving, by the answers of the plenipotentiary of the Netherlands to the questions addressed to him, that he does not possess either the real powers or sufficient instructions to resolve the difficulties which prevent the settlement of the negotiations of the Conference.

2dly. Because on these grounds the plenipotentiaries of Austria, Prussia, and Russia, are ready to unite with the plenipotentiaries of his majesty the king of the French and his Britannic majesty, in order to free Belgium from the payment of the arrears which it owes to Holland since the 1st of January, 1832, so as to date the effect of this decision from the 15th of October next, in order that Holland may still have time to estimate the consequences and adopt a line of conduct likely to realize the peaceable intentions, in the spirit of which the Conference of London has assembled.

3dly. Because at this moment the plenipotentiaries of the Courts of Austria, Prussia, and Russia, do not possess powers which would authorize them either to demand from the government of the Netherlands the partial execution of a treaty to which it has not yet acceded, in demanding the aforesaid evacuation of the citadel of Antwerp, or to consent to the

weekly defalcation proposed with reference to Holland by the plenipotentiaries of France and Great Britain.

4thly. Because in case coercive measures should be put in execution by the French government and the English government, the plenipotentiaries of Austria, Prussia, and Russia cannot take part in them; and they reserve to themselves respectively the explanation of the motives of this determination of their Courts.

5thly. Because in their opinions the step which, according to the indications of experience, would seem most likely to lead, with the greatest degree of certainty, to the object of the Conference, and to convince the Court of the Hague of its true position, the dangers which surround it, and the firm desire of Austria, Prussia, and Russia, to arrive as soon as possible at such a conclusion as may satisfy the views of France and Great Britain, as well as the just interests of Belgium would consist—

In putting before the eyes of the courts of Vienna, Berlin, and St. Petersburg, the actual state of things, engaging them on the one side to use, for the last time, their influence with his majesty the king of the Netherlands, in order to obtain his immediate assent to an equitable arrangement; and on the other to adopt, if these new efforts should prove unavailing, all the financial measures pointed out by the plenipotentiaries of France and Great Britain, — measures which would be so far more efficacious, inasmuch as their unanimous sanction by the five Powers themselves would leave to the cabinet of the Hague neither doubt nor hope.

“ Considering, nevertheless, that

the distances which separate Vienna and St. Petersburg from London might cause too long a delay at this critical moment, the plenipotentiaries of Austria, Prussia, and Russia declare, that it would appear to them sufficient to consult the court of Berlin, and invite it to pronounce, first, a decision by which it may make known to the cabinet of the Hague the absolute necessity in which it is placed either to propose within a given time a project of a definitive treaty between Holland and Belgium, which may settle in the affirmative, in a manner clear and completely satisfactory, all the questions, without a single exception, which have been addressed in the last instance by the Conference of London to the plenipotentiary of the Netherlands, or to give in its adherence to the 24 articles of the 14th of October, 1831; secondly, to declare the obligation which a rejection of one or the other of these demands would impose on Austria, Prussia, and Russia, first to free Belgium from the arrears which it owes to Holland since the 1st of January, 1832, and then to cut off (*defalquer*) a million of florins per week of the debt of Belgium to Holland, in case that at the lapse of a given time the stoppage of the arrears since the 1st of January, 1832, did not produce the effect anticipated from it; and this without prejudice to the special measures which France and England may judge indispensable as far as they are concerned, should the weekly defalcation remain without result.

“ The plenipotentiaries of Austria and Russia observed, that looking at the urgency of the moment, they consent to conform themselves to the decisions which the Court of Berlin will make known.

“The plenipotentiaries of the three Powers add, that these decisions may be made known in London in the space of ten or twelve days, and that they offer in their eyes two advantages of the highest importance;—they would present the last means of terminating the negotiations by a pacific arrangement, which would reconcile all the interests and wishes of all the parties; and even should this chance not be finally realized, the cabinet of the Hague, seeing perfect agreement between the five Powers themselves on the pecuniary measures adopted with respect to Holland, could not hesitate to adopt the resolutions which the good of Holland and the good of Europe demand. The questions which occupy the Conference would thus be resolved without interruption or risk to the general peace.

“In order to obtain with more celerity answers from Berlin, and to make felt there the importance of these communications, the Prussian plenipotentiary announces that he charges with it the first secretary of the Prussian Legation, who will set out for Berlin this day on board a Hamburgh steamer.

“The British plenipotentiary expresses his regret that he is not able to give his assent to the proposition made by the plenipotentiaries of Austria, Prussia, and Russia; he is deeply convinced of the advantages which would result from unanimity of action on the part of the five Powers, if it were possible to obtain it; and he flatters himself that he has given a proof of the importance which he attaches to this unanimity by the manner in which he suggested, at a former meeting of the Conference, the idea of resorting in the first instance to pecuniary measures in

preference to measures of a more vigorous character, an idea which he had hoped would have obtained the active concurrence of the Conference.

“But the British plenipotentiary is convinced that in the present state of the negotiations it is necessary for the maintenance of the peace of Europe that some decisive measures should be adopted by the Powers which have ratified the treaty of November, and have guaranteed the execution of the dispositions of that Act; and he regrets that he does not see in the proposition made by the plenipotentiaries of the three Courts any measure which meets the urgency of the case. The tendency of this proposition is to renew negotiations, which the experience of many months, and the avowal of the Conference itself, have proved to be without result—to renew them, not with the united weight of the five Courts represented in the Conference, but by the separate action of some of those Courts, and that, after the experience had by those Courts themselves of the inefficacy of their efforts to produce by the influence of their counsels the determination of the cabinet of the Hague.

“The British plenipotentiary cannot, consequently, consent to a proposition the only certain result of which would seem to be a new delay; and in reserving to the government of his Britannic majesty the decision which it may deem it advisable to take in execution of the engagements contracted by his majesty, he limits himself for the present to the expression of his regret that the plenipotentiaries of Austria, Prussia, and Russia, are not prepared to concur in effective measures, with the view of putting



in execution a treaty which since so many months has been ratified by their Courts, and the prolonged accomplishment of which exposes the peace of Europe to continual and increasing dangers.

“ The plenipotentiary of his majesty the king of the French, adhering in all points to the declaration just made by the plenipotentiary of his Britannic majesty, expresses with him his regret at not being able to accept the proposition of the plenipotentiaries of Austria, Prussia, and Russia ; and persisting in that which he has himself presented to the Conference, reserves to his government besides, the full power of acting for the execution of the treaty concluded with Belgium, as well as the right resulting from it, and following that which the tenour of the engagements and the interest of France may demand.

(Signed) “ WESSENBERG.  
 “ MAREUIL.  
 “ PALMERSTON.  
 “ BULOW.  
 “ LIEVEN.  
 “ NEUMANN.  
 “ MATUSZEWICZ.”

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NOTE ADDRESSED *by the* BELGIAN MINISTER FOR FOREIGN AFFAIRS *to the* MINISTER FOR FOREIGN AFFAIRS OF FRANCE.

“ *Brussels, October 5.*

“ The undersigned minister for foreign affairs of his majesty the king of the Belgians having laid before his sovereign an account of the state of the negotiations opened at London, and principally as to the new acts which had intervened since the Belgian plenipotentiary was furnished with the necessary powers for entering directly into communication with the plenipo-

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tentiary of the Netherlands, has received orders to make the following declaration to his excellency the minister of his majesty the king of the French for the foreign department.

“ The government of his majesty the king of the Belgians having addressed, under the dates of the 12th and 13th of June, the cabinets of the Tuileries and St. James's, claiming the execution of the engagements contracted by the treaty of November 15, received for answer that the Conference would occupy itself with the means for insuring this result without delay.

“ Relying upon this assurance, and the approbation signified by the note of the Conference of June 11, of the line of conduct which it had traced out for itself, the Belgian government was expecting an immediate termination of the difficulties which had already too long existed, when Holland suddenly gave a new and unexpected direction to the negotiations.

“ The cabinet of the Hague, while appearing to offer to negotiate an arrangement directly with that of Belgium, had given rise to a belief that pacific means remained to be used ; and by thus arresting the proceedings of the Conference, at length succeeded in throwing upon Belgium the responsibility of delay.

“ This it was that induced the king of the Belgians to depart for a moment from the resolution formed by his government not to take part in any negotiation till after the evacuation of the Belgian territory ; and consequently measures were adopted by his majesty to open a direct negotiation, in order to ascertain in a positive manner if it were possible to obtain

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an amicable arrangement with Holland.

“The Belgian minister plenipotentiary at London was, on September 18, furnished with full powers to negotiate, conclude, and sign, a treaty direct with the plenipotentiary of his majesty the king of the Netherlands; the Belgian plenipotentiary, on acquainting the Conference with his new mission, declared by a note, dated September 20, that the king of the Belgians did not intend to suffer any encroachment upon or prejudice to his rights, but reserved to himself, in case this direct negotiation should remain without result, to claim the execution of the engagements contracted by each of the five powers.

“The government of his majesty the king of the Belgians became ere long acquainted with the note addressed to the Conference by the Dutch plenipotentiary, under date of September 20, as well as with the result of the labours of the plenipotentiaries of the five courts in their meetings of the 24th, 25th, and 26th of the same month. From these documents it obtained the conviction that the Dutch government could not be led by the ordinary course of negotiation to a direct approximation to Belgium, and that all hope of conciliation having become illusive, the Belgian question could no longer be regarded under any other point of view.

“In such a state of things, the French government will undoubtedly admit that it is the duty of the undersigned to protest, in the name of his sovereign, against any measure which might leave an opening for negotiation, the sterility of which has been demonstrated by long experience, whether it has

been attempted by the simultaneous and combined action of the five Courts represented in the Conference, or by the separate action of some of them. They can no longer deceive themselves upon their influence with the cabinet of the Hague, especially after the check experienced by count Orloff in the pacific mission with which he had been charged by the court of Russia. New efforts would remain ineffectual, as they have hitherto done, and would evidently have no other result than to create delays, injurious not only to Belgium, but to all Europe, whom they keep in suspense; the general disarmament being as it were connected with the solution of the Belgian question.

“The time has therefore come to carry into execution a treaty invested five months ago with the common sanction of the five Courts, the non-fulfilment of which exposes the peace of Europe to increasing and continual dangers. Since the last refusal of the Dutch government, there is no other means to accomplish this result but the employment of material force; for it cannot be supposed that the powers will allow an indefinite postponement, which would be highly injurious to the public order of Europe, and that, after laborious negotiations for two years, a treaty solemnly ratified should remain without being executed.

“In consequence, the undersigned has received the positive commands of his sovereign to claim of the government of his majesty the king of the French the execution of the guarantee stipulated by the 25th article of the treaty of November 15, 1831, concluded with Belgium. Circumstances re-

quire vigorous and efficacious measures. The undersigned ventures to hope that the French government will not hesitate to take them, in execution of the engagements contracted with Belgium.

"The undersigned begs his excellency the secretary of state of his majesty the king of the French for the foreign department, to lay the present declaration before the king his august master, and embraces this opportunity to offer to his excellency the assurances of his highest consideration,

"GOMLET."

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NOTE by HOLLAND to the CONFERENCE, OCTOBER 18, 1832.  
*To their Excellencies MM. the Plenipotentiaries of Austria, of France, of Great Britain, of Prussia, and of Russia, assembled in Conference at London.*

The protocols 69 and 70 of the Conference of London, and the documents which are annexed to them, contain some reflections upon the course of proceeding pursued by the Court of the Hague in the present negotiation. The value which the Dutch cabinet attaches to the opinion of the Conference, and its duty to itself, do not permit it to remain silent on this subject; the undersigned plenipotentiary of his majesty the king of the Netherlands, in pursuance to orders from his government, will have the honour to make some quotations from the said notes, and will accompany them with the necessary expositions.

"The note," it is said, "of the Dutch plenipotentiary of the 20th of September, does not make mention of the theme which had been forwarded to him on the 6th of the

same month, nor of any of the arrangements which are proposed in it. The Dutch government, without entering into a discussion of the confidential explanations which had been transmitted to it on the part of the British plenipotentiary, without even making any allusion to them, addressed to the Conference a new note. The silence of the Dutch cabinet as to these confidential propositions was little suitable. The Dutch government preserved an absolute silence with respect to the British plenipotentiary. The Dutch plenipotentiary does not reply in any manner to the confidential communications which he himself had received and transmitted."

His excellency the British plenipotentiary having, as it is said, in one of the above-mentioned documents formed the theme in question on his own motion only, and having presented it confidentially to the undersigned, the court of the Hague would have deemed itself committing an indiscretion towards that of London, in addressing to the Conference its answer upon a project not emanating from the Conference, and in developing to it the motives which had not permitted it to accept that project. It judged that the respect due to the source from whence the theme emanated, required that the answer should take the same direction, and caused it to explain at London and at the Hague that the maturity to which the negotiations had reached did not permit the Dutch court to transfer it to a ground entirely new. In very protracted interviews with the minister of Great Britain at the Hague, the Dutch minister for foreign affairs expressed himself upon the entire situation of affairs with an

openness and a frankness which could not but find a favourable reception from the representative of a nation so eminently distinguished by its patriotic virtues. On his side the undersigned had the honour to explain himself as to the non-acceptation of the theme with his excellency the British secretary of state for foreign affairs.

Now that the theme is introduced into the protocol of the Conference, and that they testify their having expected to see mention made of it in the Dutch note of the 20th of September, the considerations which in that case had guided the court of the Netherlands, having ceased, it hastens to fulfil that expectation.

For that purpose the undersigned has the honour to join to the present note the principal observations to which the before-mentioned project has given place.

"The Dutch cabinet," it is alleged, "appears to apply itself to render the dispute interminable."

The Dutch government has constantly sought to abstain from all dispute of a nature which was as little analogous to its relations with the Conference as to the spirit of conciliation of it, and of the Dutch cabinet. It confined itself to explaining succinctly its propositions, and the non-acceptation of some of those which had been proposed to it.

"The journals of the two countries," it is observed, "seized on questions in which rival interests combated each other, and in agitating them unveiled such intentions of the cabinet of the Hague, with respect to the navigation of the Scheldt, that one could scarcely be surprised at seeing complaints

raised in Belgium against the execution of such intentions, and particularly against the provisional application of the tariff of Mentz to the Scheldt."

It is by no means astonishing that the uniformity of language of the Netherlands journals, in discussing the external politics of Holland, and the present negotiation, has given rise to the supposition in a foreigner that they were directed by the government. But this uniformity has no other origin than the good cause of Holland and the public spirit and rectitude of judgment of the nation. The nation enjoyed unlimited liberty of the press, naturalized amongst them for ages, without being subject to any censorship or any other impediment. It follows that the cabinet of the Hague is not responsible for any article in a journal, with the exception of the official part of the *Staats Courant*, and that the journals of the country are not tied to consequences as if they unveiled its intentions. Moreover, there is in the lines quoted an inversion of facts, the Netherlands journals not having begun to occupy themselves with the navigation of the Scheldt, till after the Belgians, in opposition to the 24 articles, had raised their voices, by means of the public journals, of brochures, of addresses, of petitions, and of memorials, against the application of the tariff of Mentz to the Scheldt, in such a manner that the articles of the Netherlands journals became the effect, not the cause, of these complaints.

"The government of the Netherlands," as it is advanced, "addressed to the Conference, which had not provoked it, a note more bitter than any of the preceding

ones, more unfriendly than was consistent with a proper spirit of conciliation, and by which it loudly claimed, without delay, the immediate signature of the treaty which it had proposed to the Conference by its note of the 30th of June, renewed by that of the 25th of July. The first effect of this note, which had all the air of a manifesto against the Conference, was to give the latter the idea that all means of conciliation were exhausted.'

"The note of the 20th of September was provoked, and became imperiously necessary, in consequence of the interruption which the new exigencies openly proclaimed in Belgium suddenly caused to the negotiation in the beginning of August, at the moment when it was believed at the Hague to be nearly arrived at a signature, and in consequence of the apprehension that the silence of the government of the Netherlands might favour these exigencies, and prepare for them at London a favourable reception. A second reading will render it evident that this note, like those which had preceded it, was drawn up in measured and conciliatory terms, and that, instead of containing any one expression that could be disagreeable to the Conference, it explicitly recognized the amicable reception which the last proposition made by the king had met with from it, and the maturity which the negotiation had attained through these relations of mutual confidence; that, in this state of affairs the undersigned did not claim loudly nor immediately, nor without delay, but simply in terms as mild as comported with the subject, the signature of the treaty; but so far from identify-

ing the Conference with Belgium, which would not only present an absolute contradiction, but would be diametrically opposed to all the acts of the Conference, and to its character of mediation, it was possible to apply the last part of the note only to Belgium; lastly, the means of conciliation could not be considered exhausted by the transmission of a note in which Holland only expressed the desire of coming to a conclusion according to the agreement which had previously taken place, and until August, with the Conference,—an agreement, of which the correspondence of the undersigned, accompanied by the justificatory papers, had informed the Court of the Hague, and which had not been modified by any subsequent communications of the Conference.

" 'The latter,' it is continued, 'sought to assure itself whether the undersigned had received instructions and sufficient powers to discuss, under the auspices of the Conference and with the Belgian plenipotentiary, the proposed arrangements; but the cabinet of the Hague has never given any official answer to these demands.'

"The undersigned must be allowed to recall to mind his declaration that he was in possession of full powers, having the royal signature, to the effect of discussing and signing with the Conference of London a treaty of separation, and of signing it immediately afterwards with the Belgian plenipotentiary. But discussions between the latter and the undersigned appeared so contrary to the principle of the negotiation and to the dignity of the king, that they would be of little advantage in the present temper of mind of the parties.



“With regard to the written answers of the undersigned, presented the 26th of September to the nine questions which were addressed to him, there will be found amongst the papers of the 69th protocol a summary of the explanation communicated by him verbally in the sitting of that day. So far as appears, there exists here a double sense, and the undersigned can only refer to his written answers, which he declared in the Conference of the 26th of September were alone to be considered as authentic.

“‘According to this summary, ‘the cabinet of the Hague would not adopt the territorial arrangements marked out in the 24 articles, except with the reserve of a guarantee with relation to the union to Holland of the indemnity assigned in Limburg.’ In the observations the Conference gave him to understand ‘that this union depends upon the assent of the Agnates and of the Confederation.’

“The government of the Netherlands having acceded, with a slight modification, to an additional article respecting this matter, to be inserted in the treaty with the five Courts, it was proposed on the part of the Conference to consider this question as entirely arranged. It did not demand in this respect any special guarantee, considering that the question of the grand duchy of Luxemburg alone concerned the Agnates and the Germanic Confederation.

“As to the observation in his 4th answer, the undersigned is instructed to express, that as the negotiation during all the latter months has been invariably based on the 24 articles, and to be understood to be considered with reference to the points of divergence

which they present, the court of the Hague cannot admit the retraction by one of the parties of the stipulations of the 24 articles, respecting which there is a failure of agreement,—a faculty opposed to the first principle of all negotiation, and which, applied to the present, would render it interminable.

“As to the rest of the unexpected and new difficulties now raised against the application to the Scheldt of the tariff, and as much as possible of the arrangement of Mentz, they would disappear in a moment were they examined with more attention, and the result would show that Belgium had given a false view of the subject to a part of the public, by means of exaggerated and erroneous assertions. It has thus been maintained that the rights of pilotage on the Scheldt exceed those on the Meuse, whilst frequently the latter exceed the former.

“With regard to his 5th answer, the objection was reproduced, that the Netherlands’ propositions respecting the use of the interior waters would not lead to any result, and reference was made to the negotiations of the *riverain* states of the Rhine.

“The undersigned takes the liberty of calling to mind that every state has the right not to admit foreign flags generally upon its interior waters, or to render that admission more favourable for certain flags. If the Belgian flag is agreed to be admitted on the interior waters, and to be treated as the most favoured flag, it is altogether illusory, as up to this day there exists no nation more favoured in this respect than another, nor can such a case be produced at any epoch more or less distant,



Every time that a state contracts for the first time, in its treaties of navigation and commerce, the engagement to admit a foreign flag on the footing of the most favoured nation, such flag cannot be admitted with reference to antecedent stipulations of the same kind; and a less value would not be attached on that account to such an engagement. As to a national tariff, which every government maintains on its interior waters, that will not prevent it from substituting another tariff, by a treaty of navigation and commerce, according to the principle of reciprocity. As to what concerns the negotiations of the *riverain* states of the Rhine amongst themselves, his majesty, as king of the Netherlands, cannot admit the intervention of *non-riverain* Powers; and, as grand duke of Luxemburg, he must consider an appeal to such an intervention as derogatory to the dignity, and subversive of the independence, of the Germanic Confederation.

“An observation on the 9th question having mentioned the compensation which the Court of the Hague would be disposed to offer for the liquidation of the syndicate, as a measure of order, the undersigned is authorized to declare that the government of the Netherlands does not attach any value to that stipulation, except in order to simplify the future relations between the two countries, and avoid the unpleasantness of complicated pecuniary questions, and not from the apprehension of a deficiency of any importance in favour of Belgium, and that from the former motives, it consents to a defalcation in order to obtain the result of an equitable sum of arrears due by Belgium.

“In the 70th protocol it is said that the Conference had declared inadmissible the project of treaty presented by the government of the Netherlands. It is not disputed, however, that this project has continued to be discussed amongst the members of the Conference and the undersigned, up to August, with reference to the greater part of the basis and the arrangement; and till that epoch there was no question as to the new exigencies raised since by Belgium. It is still mentioned that Belgium would not refuse to negotiate respecting the modifications which were the object of the first remonstrances of Holland, as well as respecting the reserves and the wishes of the Courts of Austria, Prussia, and Russia.

“The court of the Hague, whose present political system coincides in general with those former remonstrances and with those reserves, has never remarked a disposition to this effect on the part of Belgium, which has constantly refused all arrangement and has not taken the least step to arrive at an equitable result.

“The present note having no other object than to clear up certain facts, and not that of going through all the contents of the protocols 69 and 70, which have not yet been officially communicated to the cabinet of the Hague, the undersigned has acquitted himself of the task imposed upon him; reserving to himself future explanations, such as circumstances may eventually render necessary with relation to other parts of the diplomatic acts and the rights of his government and to set aside the consequences which might otherwise be drawn from the silence respecting them which he now preserves,

“There remains to him a painful duty to fulfil, that of expressing the profound grief with which the king has remarked, that in these protocols, and in the papers connected with them, the arrangements have been destined for Belgium alone; that, without reckoning the numerous concessions made by his majesty, it is attributed to the government of the Netherlands that it had closed the door to an accommodation, and receiving, as a natural incident, the peremptory and recent announcement of Belgium that she would concede nothing after the expiration of the powers of her plenipotentiary, language is held to him who is despoiled, which by the good issue of negotiation ought to be transferred to him who receives; and which, instead of imposing on the latter as an express condition the sacrifices made by the former, it is expected that the despoiled should say ‘I am satisfied,’ and consent to see, without ceasing, every arrangement put aside, so long as it may so please his adversary.

“‘Too frequently,’ it is said, ‘the cabinet of the Hague surrounds itself by illusions.’

“If this qualification could apply to the intimate conviction that a legitimate monarch, who, submitting to the law of necessity, found himself on the eve of being about to abandon to revolt the greater part of his states, the two-thirds of the population of his kingdom, and the half of his family possessions, and to consent to relieve the insurgent provinces of an immense portion of the public debt, and to give them important maritime advantages, at least he is neither bound nor authorized to leave to their mercy the first interest and all the independence of a people

who have remained faithful to him; nor could a constitutional king of a free nation, as reflecting as devoted in his external relations, choose a course opposed to the public spirit and to the unanimous opinion of his subjects; and that when their social existence was at stake, it is not permitted to him to offer up his people as a burnt-offering to the general or partial entanglements of Europe. Then, indeed, the Dutch government would surround itself with illusions, and seek to give them the consistency of reality by adopting them as the basis of its political system.

“The undersigned seizes this occasion to reiterate to their excellencies the plenipotentiaries of Austria, of France, of Great Britain, of Prussia, and of Russia, the assurance of his high consideration.

“H. DE ZUYLEN DE NYEVELT.  
“*London, Oct. 18, 1832.*”

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CONVENTION BETWEEN FRANCE  
and GREAT BRITAIN, SIGNED  
at LONDON on the 22nd of OCTOBER.

“His majesty the king of the French, and his majesty the king of the united kingdom of Great Britain and Ireland, having been invited by his majesty the king of the Belgians to carry into execution the articles of the treaty relative to the Netherlands concluded at London on the 15th of November, 1831, the execution of which, according to the terms of the 25th article of the said treaty, has been conjointly guaranteed by their said majesties, the emperor of Austria, the king of Prussia, and the emperor of all the Russias:

“Having, moreover, recognized that all the efforts made in common

by the five powers who signed the said treaty to arrive at its execution by means of negotiation have hitherto failed of effect :

“ Agreeing, besides, that further delay in its execution will seriously compromise the general peace of Europe, have determined, notwithstanding the regret they experience at finding that their majesties the emperor of Austria, the king of Prussia, and the emperor of all the Russias, are not at this moment prepared to concur in the active measures which are called for, in order that the treaty may be carried into effect, on fulfilling, in that respect, without any further delay their own engagements, and on carrying on by mutual consent the measures best calculated for that purpose, their majesties the king of the French and the king of the united kingdom of Great Britain and Ireland have appointed for their plenipotentiaries — namely, his majesty the king of the French, M. Charles Maurice de Talleyrand Perigord, &c.; and his majesty, the king of the united kingdom of Great Britain and Ireland, the right hon. Henry John viscount Palmerston, &c.

“ Who, after having exchanged their full powers, which were found in good and due form, have agreed upon and signed the following articles :—

“ ARTICLE 1. His majesty the king of the French and his majesty the king of the united kingdom of Great Britain and Ireland, will notify to his majesty the king of the Netherlands and his majesty the king of the Belgians, respectively, that their intention is to proceed immediately to the execution of the treaty of the 15th of November, 1831, conformably to engagements which they have con-

tracted ; and as a first step towards the accomplishment of this end, their said majesties will require his majesty the king of the Netherlands to enter into an engagement by the 2nd of November, at the latest, to withdraw on the 12th of the said month all his troops from the territories which, by the first and second article of the said treaty, ought to form the kingdom of Belgium, of which the contracting parties to that treaty have guaranteed the independence and neutrality.

“ And their said majesties will also require his majesty the king of the Belgians to enter into an engagement on the 2nd of November of the present year, at the latest, to withdraw on or before the 12th of the said month of November his troops from the territories of his majesty the king of the Netherlands, so that after the 12th instant there shall be no Netherland troops within the limits of the kingdom of Belgium, nor any Belgian troops in the territory of the king of the Netherlands. And their majesties the king of the French and the king of the united kingdom of Great Britain and Ireland declare at the same time to his majesty the king of the Netherlands, and to his majesty the king of the Belgians, respectively, that if this requisition to their majesties is not complied with, they shall proceed without any further notice or delay to the measures which shall appear to them necessary to compel the execution of it.

II. “ If the king of the Netherlands refuses to agree to the engagement mentioned in the preceding article, their majesties the king of the French, and the king of the united kingdom of Great Britain and Ireland, will

order an embargo to be put on all the Netherland vessels in the ports of their respective dominions ; and they will also order their respective cruisers to stop and bring into their ports all the Netherland vessels which they may meet with at sea ; and a French and English squadron combined will be stationed on the coasts of Holland for the more efficacious execution of this measure.

“III. If on the 15th of November the Netherland troops shall be still in the Belgian territory, a French corps shall enter Belgium for the purpose of compelling the Netherland troops to evacuate the said territory, it being well understood that the king of the Belgians shall have previously expressed his wish for the entrance of the French troops upon his territory for the purpose above stated.

“IV. If the measure pointed out in the preceding article becomes necessary, its object shall be limited to the expulsion of the Netherland troops from the citadel of Antwerp, and the forts and places dependent upon it ; and his majesty the king of the French, in his lively solicitude for the independence of Belgium as for that of all established governments, expressly undertakes not to occupy any of the fortified places of Belgium by the French troops which shall be employed in the above service, and when the citadel of Antwerp, the ports and places dependent upon it, shall have been evacuated by the Netherland troops, they will be immediately delivered up to the military authorities of the king of the Belgians, and the French troops will immediately retire upon the French territory.

“V. The present convention shall be ratified, and the ratifica-

tions exchanged at London, within eight days, or sooner if possible.

“In testimony of which the respective plenipotentiaries have signed the preceding articles, and have affixed the seals of their arms.

“Done at London, Oct. 22, 1832.

“TALLEYRAND.  
“PALMERSTON.”

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NOTES ADDRESSED *by the* CHARGÉS D’AFFAIRES of FRANCE and ENGLAND *at the* HAGUE *to the* DUTCH MINISTER for FOREIGN AFFAIRS, 29th October, 1832.

“*The Hague, Oct. 29.*

“The undersigned Chargé d’Affaires of France to the government of the Netherlands has received orders to make known to his excellency baron Verstolk Van Soelen, minister for foreign affairs, the determination just made by his majesty the king of the French, in concert with his majesty, the king of Great Britain.

“The acknowledged fruitlessness of the endeavour so often made to obtain from his majesty the king of the Netherlands the acceptance and the execution of the treaty concluded at London the 15th of November, 1831, obliges them to take the only step which remains, to put an end to a state of things the longer continuance of which might endanger the peace of Europe. They, therefore, find themselves constrained by the above-mentioned considerations, and by the engagements which they have contracted, to proceed immediately, by the means which are in their power, to obtain the evacuation of the territories which are still occupied by that one of the two Powers to which they are no longer to be.

long. In consequence, the undersigned is instructed to require that his majesty the king of the Netherlands shall be pleased to signify whether he consents to cause the citadel of Antwerp, and the forts and places depending on it, to be evacuated by the 12th of November next; and in case a formal and satisfactory answer to this effect should not be made on the 2nd of the month of November next, the undersigned is to declare that a naval and land force will be put in motion by the two governments of France and England; and, if on the 15th of November next the evacuation of the citadel of Antwerp, and of the forts and places depending on it, should not have been completely effected by the troops of the Netherlands, all the necessary measures will be taken to bring about that result.

“ The undersigned embraces this opportunity to renew to his excellency Baron Verstolk Van Soelen the assurance of his distinguished consideration.

“ Marquis D'EYRAGUES.”

[The note of Mr. Jerningham, the British Chargé d'Affaires is of the same date, in English, and, *mutatis mutandis*, in the same words.]

“ *To the marquis d'Eyragues, Chargé d'Affaires of his majesty the king of the French.*

“ *The Hague, Nov. 2, 1832.*

“ The undersigned minister for Foreign Affairs has had the honour to receive the note of the marquis d'Eyragues, Chargé d'Affaires of France, of the 29th of October last, announcing the determination of his majesty the king of the French, in concert with his majesty the king of Great Britain, stating that the acknowledged fruitlessness of the endeavours so often repeated to

induce his majesty the king of the Netherlands to accept and execute the treaty concluded at London on the 15th of November, 1831, obliges them to proceed immediately, by the means which are in their power, to obtain the evacuation of the territories which are still occupied by that one of the two powers to which they are no longer to belong; and that, in consequence, the French Legation was instructed to require his majesty the king of the Netherlands to be pleased to declare, if he consents to the evacuation, by the 12th of this month, of the citadel of Antwerp, and of the posts and places depending on it; and in case a formal and satisfactory answer to this effect should not be given on the 2nd of November, to declare that a sea and land force would be put in motion by the two governments of France and England; and that if, on the 15th of November, the evacuation of the citadel of Antwerp and its dependencies should not be completely effected by the Netherlands' troops, all necessary measures would be taken to bring about this result.

“ The undersigned has not failed to lay this note before the king; and he is instructed to make to the marquis d'Eyragues the following statement:—

“ Holland having acceded, not to the treaty of the 15th November, 1831, but to the greater part of its arrangements, must found its proceedings on the stipulations which it has accepted. Among the articles agreed to in concert with the Conference of London is included the evacuation, in a fixed time after the exchange of the ratifications, of the territories which were respectively to change hands, which point was regulated by the last of the 24 articles of the 15th of October,



1831, by the treaty of 15th of November, and in the projects of convention which have followed it. If on the 11th of June the Conference proposed the 20th of July for the evacuation of the respective territories, it declared by its note of 20th July that in making this proposal it had thought that the treaty between Holland and Belgium would be ratified. To effect the evacuation at a time anterior to the exchange of the ratifications would be acting in opposition both to the formally announced intentions of the Conference, and to the assent which has been given to them by the government of the Netherlands.

“ A second motive which hinders the king from consenting to an anticipated evacuation of the citadel of Antwerp and its dependencies, results from the imperative duty which the interest of his kingdom imposes on his majesty not to part with the security he holds to obtain equitable terms of separation between Holland and Belgium.

“ In answer to the allegation of the fruitlessness of the efforts which have been often repeated to induce the king to accept the treaty of the 15th of November, the undersigned will take the liberty to observe, that since the 15th of October, 1831, the negotiation has related only to the 24 articles; and to mention the maturity which this negotiation has now attained in consequence of the offers contained in the notes of the plenipotentiary of the Netherlands to the Conference of London, on the 30th of June and 25th of July, of the approbation which was generally given them, and of the manner in which the cabinet of the Netherlands received, only a few days ago, the project of a convention communicated on the part of

the Court of Berlin, and which has been made known to the Conference of London, with the conciliatory answer of Holland;—this state of things, instead of requiring intermediate and partial measures, seems to need only the putting the last hand to the work, to remove in a few days all the difficulties by the signature of the treaty of separation, which, embracing the totality of the question, would include at the same time that of the evacuation of the respective territories. On these grounds, the king does not find himself in a situation to consent to measures which form the subject of the note of the *Chargé d’Affaires* of France: but, always ready to follow the course of the negotiations in the manner best adapted to remove the obstacles which still delay the immediate conclusion of the treaty, his majesty causes his plenipotentiary to the Conference of London to be furnished with instructions to that effect.

“ As for military measures destined to realize the evacuation at a time anterior to that fixed diplomatically, it will suffice to recall to the penetration of the Court of France how they would violate the principle so formally announced, that the Conference of London must never lose its character of a mediator; and to add, that if the embarrassments (complications) which they would produce without any motives should put to the hazard, as may be expected, the object of the negotiations of the last two years just at the eve of their solution, the sacrifices which Holland has made for the preservation of peace would entirely relieve it even from the appearance of having been the cause of so deplorable an issue.



“ The undersigned has the honour to request the marquis d'Eyragues to communicate this note to his Court, and to accept, &c.

“ VERSTOLK VAN SOELEN.”

(The same answer has been given to Mr. Jerningham.)

#### EMBARGO ON DUTCH VESSELS.

“ At the Court at St. James's, the 6th day of November, 1832; present the King's Most Excellent Majesty in Council—

“ It is this day ordered by his majesty, by and with the advice of his privy council, that no ships or vessels belonging to any of his majesty's subjects be permitted to enter and clear out for any of the ports within the dominions of the king of the Netherlands until further orders.

“ And his majesty is further pleased to order that a general embargo or stop be made of all ships and vessels whatsoever belonging to the subjects of the king of the Netherlands now within, or which shall hereafter come into, any of the ports, harbours, or roads, within any part of his Majesty's dominions, together with all persons and effects on board such ships and vessels. And that the commanders of his majesty's ships of war do detain and bring into port all merchant ships and vessels bearing the flag of the Netherlands; but that the utmost care be taken for the preservation of all and every part of the cargoes, on board any of the said ships or vessels, so that no damage or embezzlement whatever be sustained; and the commanders of his majesty's ships of war are hereby instructed to detain and bring into port every such ship and vessel accordingly.

“ And the right honourable the lords commissioners of his majesty's Treasury, the lords commissioners of the Admiralty, and the lord warden of the Cinque Ports, are to give the necessary directions herein as to them may respectively appertain.”

“ At the Court at St. James's, the 3rd day of December, 1832; present the King's Most Excellent Majesty in Council.

“ It is this day ordered by his majesty in council, that his majesty's order in council of the 6th of November last, directing that no ships or vessels belonging to any of his majesty's subjects be permitted to enter and clear out for any of the ports within the dominions of the king of the Netherlands until further orders, shall not extend, or be construed to extend, to prevent any ship or vessel belonging to his majesty's subjects from entering and clearing out for any ports or places in the possession of, or belonging to, his majesty the king of the Netherlands in the East or West-Indies, or in Africa or America, but that all such ships and vessels shall be permitted to enter and clear out for the ports and places aforesaid, as they might have done before the date of the said order :

“ And the right honourable the lords commissioners of his majesty's Treasury, the lords commissioners of the Admiralty, the lord warden of the Cinque Ports, and the judge of the high court of Admiralty, are to give the necessary directions herein as to them may respectively appertain.

“ C. C. GREVILLE.”

"At the Court at St. James's, the 3rd day of December, 1832; present, the King's Most Excellent Majesty in Council.

"It is this day ordered by his majesty in council, that all vessels under Dutch colours, having cargoes on board consisting of perishable articles, and which shall have been, or hereafter may be, detained under the embargo laid by his majesty's order in council of the 6th of November last, or that have been, or may hereafter be, sent in by any of his majesty's ships of war in pursuance of such order, be forthwith released, and that all such vessels with their cargoes, consisting of perishable articles as aforesaid, shall be permitted to proceed on their respective voyages:

"And the right honourable the lords commissioners of his majesty's Treasury, the lords commissioners of the Admiralty, the lord warden of the Cinque Ports, and the judge of the high court of Admiralty, are to give the necessary directions herein as to them may respectively appertain,

"C. C. GREVILLE."

*Correspondence between the ENGLISH and DUTCH GOVERNMENTS regarding the EMBARGO on DUTCH VESSELS, Nov. 1832.*

"To his Excellency Lord Viscount Palmerston.

"London, Nov. 7, 1832.

"The undersigned minister plenipotentiary of his majesty the king of the Netherlands has just received information that the Board of Customs refuses to grant to any ships intending to clear out for the ports of Holland the permit usual on such occasions.

"Not being informed of any

reason which can give ground for such a refusal, and not knowing of any cause of complaint, or any reclamation capable of impairing in any manner the amicable relations existing between the Netherlands and Great Britain, as well with respect to their policy as their commerce, the undersigned takes the liberty to apply to his excellency lord Palmerston, requesting him to afford him some explanation of the measure which has just been taken at the London Custom-house relative to ships bound to the Netherlands. The undersigned embraces this opportunity, &c.

"W. G. DEDDEL.

"To M. Dedel, &c.

"Foreign-office, Nov. 7.

"The undersigned, his majesty's principal secretary of state for foreign affairs, has the honour to acknowledge the receipt of the note addressed to him this day by M. Dedel, his Netherland majesty's minister at this court, and in reply has the honour to enclose a copy of an order in council which has just been published, by which M. Dedel will find that he was under a mistaken impression relative to the directions which have been issued on the subject of vessels clearing out from British ports for ports within the dominions of his majesty the king of the Netherlands. The undersigned, &c.

"PALMERSTON.

(Here follow the Orders in Council dated the 6th of November.)

"To his Excellency Lord Viscount Palmerston.

"London, Nov. 8.

"The undersigned minister plenipotentiary of his majesty the king of the Netherlands has the honour to acknowledge to his ex-

cellency lord viscount Palmerston, his Britannic majesty's principal secretary of state for foreign affairs, the receipt of his note of yesterday, accompanying an order in council, dated the 6th.

"The directions contained in this order are, in fact, but little in accordance with the exalted ideas which, during a residence of many years in England, the undersigned had conceived of the magnanimity and moderation of the British Government; but as lord Palmerston has not thought fit to give to the undersigned the explanations which he had allowed himself to ask of him respecting measures which seem so contrary to the intimate and amicable relations existing between the Netherlands and Great Britain, it remains only for the undersigned to transmit this document to his government, and to wait for his orders.

"He embraces, &c.

"W. G. DEDEL.

"To M. Dedel, &c.

"Foreign-office, Nov. 8.

"The undersigned, his majesty's principal secretary of State for foreign affairs, has the honour to acknowledge the receipt of the note addressed to him by M. Dedel, his Netherland majesty's minister at this court, and in reply the undersigned begs leave to inform M. Dedel, that after the communications which have recently taken place between the two governments, it appears to him to be wholly unnecessary to enter into any further explanation with respect to the measures announced to M. Dedel in the note from the undersigned of yesterday's date. The undersigned has the honour, &c.

"PALMERSTON.

"To his Excellency Lord Viscount Palmerston.

"London Nov 18.

(M. Dedel, acknowledging the receipt of Lord Palmerston's note of the 8th of November, proceeds.)

"The undersigned, having transmitted the above note to his Court, is instructed to observe, that that of the minister for foreign Affairs of the Netherlands to the chargé d'affaires of his Britannic majesty at the Hague, of the 2nd of November, having contained a complete answer to Mr. Jerningham's note of the 29th of October, no farther communication has given grounds for the embargo the English government has just laid on the ships of the Netherlands.

"In this state of things, the undersigned has received orders to protest, in the most formal manner, as he does by this present note, against this measure, which by the law of nations is incompatible with the security and respect due to the navigation of friendly powers; and to demand from the justice of the English government, and from its regard for the law of nations, the immediate revocation of the embargo just laid on the Netherland vessels, which, confiding in the faith of treaties, are in the ports of England, as well as the revocation of the orders issued to detain at sea those sailing under the Netherlands' flag.

"The Netherlands' government reserves its rights to an equitable indemnity for the losses which this embargo and those orders shall have caused to its subjects.

"Obliged on its part to use reprisals, it has limited them to sending away from its ports within a stated time the English vessels, and not to admit those which may intend to come to them. It is

ready to revoke these measures as soon as Great Britain shall have restored the habitual communications between the two countries. The undersigned has the honour, &c.

“ W. G. DEDEL.

**CORRESPONDENCE** *between the*  
**RIGHT HON. EARL GREY and**  
**his EXCELLENCY BARON VAN**  
**ZUYLEN VAN NYEVELT.**

*Downing-street, Nov. 11, 1832.*

Lord Grey having lost no time in laying before the cabinet (namely, the Prussian projects with the memorandum of the Baron) the papers left with him by the baron Zuylen de Nyevelt on Friday last, has the honour to inform his excellency that they do not appear to his majesty's government to afford the means of an immediate and satisfactory settlement of the questions so long depending between the Netherlands and Belgian governments.

The proposal now made by the baron Zuylen de Nyevelt, though it may appear to make some approach towards more equitable terms than the government of the Netherlands has hitherto been willing to admit, in fact, contains nothing more than an offer to accept as the basis of negotiation the project delivered at the Hague by the plenipotentiary of Prussia, and is not, in some of its terms, in accordance with that project, which itself, upon an examination of its details, appeared, in some, to be exposed to positive objections, and in others, to furnish many grounds of difficulty and doubt, requiring further explanation and discussion.

Thus, nothing appears certain in this new proposal except further delay, which the present state of affairs will no longer admit.

It was from a sense of the danger

arising from this state of uncertainty, which has already kept Europe too long in anxiety and suspense, that after the failure of their assiduous and patient endeavours in a protracted negotiation of two years to avert so painful a necessity, the governments of Great Britain and France at last found themselves reluctantly compelled to resort to the measures which are now in progress for the execution of the treaty of the 15th of November, 1831.

Still equally anxious to effect an amicable adjustment of the matters in dispute, his majesty's government would willingly listen to any propositions which might lead to that desired result. But, bound by its engagements to the Belgian government, and having, in concert with France, commenced a course of action which it cannot propose to suspend, unless the security demanded from Holland, in the note delivered to the Hague by the British and French plenipotentiaries, shall have been first obtained, lord Grey has only to repeat to the baron Zuylen de Nyevelt what he has already had the honour of stating to his excellency in person—that the surrender of the citadel of Antwerp, with its dependencies, must now be considered as an indispensable preliminary to any further negotiation.

Lord Grey begs the baron Zuylen de Nyevelt to accept the renewed assurances of his high esteem and consideration.

*London, Nov. 12, 1832.*

My lord,—Your lordship will readily believe in the painful impression made on me by the letter which you did me the honour to address to me on the 11th instant, and by which I learn, with deep

regret, the refusal of the English government to conclude for the present the treaty in the mode transmitted to your excellency on the 9th ult., together with my written explanations.

Your excellency considers that in my propositions there was nothing certain but new delays. Permit me to combat an accusation which certainly in the present crisis would be a serious one if it were true. Your excellency supposes that I had offered the project of the cabinet of Berlin as the basis of a negotiation. Pardon me, my lord, I said expressly, accept it as the basis of a treaty, no longer to be negotiated, but to be signed within twenty-four hours, should all the parties interested be equally anxious to come to a conclusion. It appears to me, my lord, that I could not express myself more frankly, nor more correctly.

The project of the cabinet of Berlin, otherwise so complete, left a few points in blank, which would have been easily settled by means of a few hours' discussion, and which, consequently, it did not belong to me alone to decide upon. But, exclusive of the time which would have been required to arrive at a common agreement as to the arrangement of the treaty, what, my lord, were the objects which, on our part, could have led to delays? Was it the question of the Scheldt? You know, my lord, that as soon as the British ministry made it an European question, my cabinet, although surprised at seeing mediators occupying themselves with their own interests, declared itself disposed to accept all that the cabinet of Berlin had proposed in this respect. There remained nothing but to agree as to the

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amount of the tolls, which we wished to fix at three florins per ton. This consent and the proposition of my cabinet were communicated to the Conference on the 26th of October, and were the next day, the 27th, the object of my conversation with your lordship. You consider, my lord, this rate of three florins as too high. From that instant, desirous of securing to ourselves the imposing suffrage of the chief of the government of his Britannic majesty, I employed all my zeal, and succeeded in inducing my cabinet to authorize me to diminish the rate; and I thought I had done all that was required in giving you, my lord, on the 9th ult. an assurance to that effect, verbally and in writing.

Is it the question of the transit by Limburg? In that same Conference of the 27th of October your lordship did not attack on the ground of principle the exigency of the *droits modérés*; you contented yourself with proposing the cession of a territorial line to the south of Maestricht, which, giving to the Belgians the means of forming a commodious road, would content them as to any arbitrary increase of our tariff of transit. Being of opinion, my lord, that this point should be left to the respective commissioners of demarcation, I seized your idea with eagerness, and obtained the necessary consent in order to insure commerce against any new rise of the said tariff, and of this I was happy to give your excellency an assurance on the 9th ult., verbally and in writing.

In this state of affairs, Great Britain, whom from my childhood I have learnt to consider as my most faithful ally, repulses me, I wish for peace, and adjourns the discussion of it until after the

result of an armed intervention of France. Even fortresses and places which revolt could not lay hold of, and which, consequently, remain in the power of their legitimate sovereign, are to be wrested from him by force before signing the fact which can alone sanction the cession.

Certainly, my lord, this result is deplorable, but I have at least the conviction that, in order to avert it, I have been ready, in the name of my august sovereign, to sacrifice every thing except the honour, the independence, and the sovereign rights of that magnanimous and free nation whose interests I defend.

I request your excellency to accept the renewed assurance of my very high esteem and consideration.

H. DE ZUYLEN DE NYEVELT.  
*To his Excellency Earl Grey, &c.*

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*Downing Street, Nov. 13, 1832.*

Monsieur le Baron,—I have this morning had the honour of receiving your excellency's letter of yesterday, and though it does not appear that any advantage can be derived from the continuance of a correspondence not passing through the usual official channels, there are some passages in your excellency's letter which I cannot suffer to pass without observation.

Your excellency states that the project of the cabinet of Prussia was proposed by you as a basis, not of a negotiation, but a treaty, which you were prepared immediately to sign. This, your excellency will excuse me for saying, appears to be nothing more than an objection to a word. The Prussian project was drawn up here by certain members of the Com-

and transmitted to Berlin without the participation or knowledge of the British government; was afterwards proposed by the Prussian plenipotentiary at the Hague to the Netherlands' government, but never communicated to the Conference, nor officially to his majesty's secretary of state.

A copy of that project was given to me by your excellency on the 9th instant, and on examination it is found, both as to what it omits and what it proposes, exposed to many serious objections and difficulties, which could only be removed by further explanation and discussion. Though your excellency, therefore, might have been prepared to subscribe to that project as the basis of a treaty, it could not in its present form be accepted without the consent of the Belgian government, nor agreed to by this government without many material alterations. Was I not, then, justified in saying that the proposal made to me on the 9th instant contained nothing more than an offer to accept the project of the Prussian cabinet as the basis of negotiation, and that there appeared nothing certain in it but further delay, which the present state of affairs would no longer admit?

With respect to the amount of duty to be levied on the navigation of the Scheldt, it is true that your excellency stated that you had the power to agree to the reduction of duty proposed by the Netherlands' government, of three florins a-ton to a lower rate. But your excellency never specified at what rate you were prepared to fix this duty. This, therefore, was in itself a subject of further discussion, upon which no agreement could be taken place without the con-



currence of the Belgian government; and here again, upon this single point, if it had been the only one, a further delay, no longer possible, was necessarily required. I must here observe, that if the question of the navigation of the Scheldt has been treated as one affecting the European powers, it has been so only in consequence of the claims of the Belgian government having been founded on the treaty of Vienna, by which the general rights respecting the navigation of that river have been secured.

Upon the transit duty through Limburg, I must correct a misapprehension into which your excellency appears to have fallen as to what passed with relation to this matter in our interview of the 27th inst. I certainly never intended to admit the claim of the Netherlands' government to levy such a duty. I knew it was expressly precluded by the 11th article of the treaty of the 15th of November, which had been consented to by all the Five Powers. In giving up those portions of Limburg which belonged to Belgium previous to 1790, the Belgian government deprived itself of an uninterrupted communication with Germany through its own territories. The right of free passage, subject only to barrier duties for the maintenance of the roads through that part of the territory which was henceforth to belong to Holland, with a route to be established through Sittardt, was considered as a part of the compensation to be made to Belgium for the advantage of which she would thus be deprived. It was impossible for me, therefore, to admit the claim of Holland, but, anxious to find the means of

an amicable adjustment, I threw out, not as a proposition which I was authorized to make, but as a suggestion of my own, that possibly this point might be settled by an arrangement for a new route, to be made to the south of Maestricht; expressly stating, however, at the same time, that this could only be done by a negotiation, to which Belgium must be a party, and for which time was no longer left, unless the citadel of Antwerp should be previously evacuated. This opinion I repeated still more positively and distinctly, supporting it by reasons which appeared to me conclusive in the second interview which I had the honour of having with your excellency on the 9th inst.

It is not, therefore, on the part of his majesty's government that the difficulties have arisen which have hitherto prevented a satisfactory termination of these unhappy differences. It has been, during a negotiation of two years, our wish to bring about such a conclusion. The same desire still continues, and will be acted upon with sincerity and good faith whenever an opportunity shall present itself. I have, like your excellency, been educated in a belief of the intimate union of interests between Great Britain and Holland, and look anxiously for the moment when the relations of friendship, so essential to the prosperity of both, shall be re-established between them. Hitherto, I am compelled to say, the proceedings of your government have not appeared to correspond with this desire; nothing but propositions, declared by all the Five Powers, up to the 1st of October last, to have been inadmissible, have been received, till at last, "all

hope was excluded of bringing the government of the Netherlands, by the ordinary means of negotiation, to a direct agreement with that of Belgium."

It was when this state of things had produced the necessity of the measures in which Great Britain and France are now engaged, that a new proposition has been made, which, for the reasons already given to your excellency, cannot be deemed sufficient to suspend them. I am therefore compelled again to state to your excellency, that the evacuation of the citadel of Antwerp must now be considered as an indispensable preliminary to any further negotiation. But, in insisting on this condition, I must repel the charge of requiring any sacrifice of the honour and independence of your nation. The honour and independence of Holland are dear to Great Britain, and in making the demand which your excellency so positively rejects, though a similar demand has, at the same time, been made on the Belgian government, the only object of his majesty's government is to obtain a satisfactory security for the successful prosecution of the work of peace, to the accomplishment of which its endeavours will still be earnestly and zealously directed.

I cannot conclude without repeating to your excellency, that though, in the hope of its leading to a satisfactory result, I have not objected to a departure from the established usage in the discussion which has taken place between us, it would be more convenient, if your excellency should wish to make any further communications, that they should be addressed in the usual way to the Foreign-office.

I beg your excellency will accept the assurances of my high esteem and consideration, and have the honour to remain,

Your excellency's most faithful and most obedient servant,

GREY.

*His Excellency the Baron de Nyevelt, &c. &c.*

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*London, Nov. 14.*

My Lord,—After the reflections by which your excellency begins and terminates the letter which you did me the honour to address to me yesterday, the 13th inst., I think it right not to delay transmitting a detailed answer. My lord, with regard to your pointing out to me the foreign-office, as the intermediate channel for my correspondence, your excellency knows that I have not the honour to be accredited to his Britannic majesty. My powers are limited to treating with the Conference acting as mediators. On their losing that character, and two of the members who compose it assuming that of belligerents, those powers, in order to be still usefully employed, have need of a kind and strong aid and co-operation in order to prevent their forces from militating against their substance; and where can I find that aid and co-operation but in the statesman who, placed in England above others, regulates at pleasure the mode of transacting business?

It seems to me, therefore, that in an imminent crisis, I could do nothing more useful, more decisive, or in more good faith, than to address myself at once to the chief of the British government, and that with so much the more confidence as he himself had promised to

merge the difficulties of form in the superior interest of peace.

I check myself, my lord, but I do not wish to close this letter without offering to your lordship the tribute of my warmest gratitude for the expressions of interest and kindness towards my country with which yours abounds. It was at an epoch, that of the acceptance of the bases of separation by the king, my august sovereign, when I heard in other quarters the same language. Then, amongst councils which dictated friendship, I believed that the citadel of Antwerp would not in any case be delivered up until after the entire adjustment of our differences with Belgium. Since, however, these bases have remained without fulfilment, I have only met with coldness and indifference. The measures resorted to are but too much in unison with the forgetfulness of an ancient alliance which is now

sacrificed to the exigencies of the day.

God grant, my lord, that the re-assuring expressions which your excellency has addressed to me may be more fertile in results, and that it may not be in vain that the first minister of king William IV. declares that the honour and independence of my country are dear to him, and that he has been educated, like myself, in the sentiment of an intimate union of interest between Holland and Great Britain.

My lord, I have faith in these words.

I request your lordship to accept a new assurance of the very high esteem and consideration with which I have the honour to be, my lord, your lordship's very humble and very obedient servant,

H. DE ZUYLEN DE NYEVELT.  
*His Excellency the Earl Grey.*

#### *SPEECH of the KING of the NETHERLANDS.*

*The Hague, Oct. 15.*  
Noble and mighty Lords,

During the last months of your late sitting, a strong hope more than once arose, that, by the opening of the present session, I might be able to communicate to you the termination of the weighty difficulties in which our beloved country has been involved for upwards of two years, in consequence of the revolt in Belgium; but my reasonable expectations have not been fulfilled.

The moderation evinced by the northern Netherlands, and the sacrifices which I myself offered, instead of leading to a reasonable adjustment, have ultimately only

produced an augmentation of the demands upon us. You will be convinced, from the communications which I shall lay before you, respecting the state of the negotiations on my part, that on our side we have gone to the utmost bounds of condescension which were traced by the very existence and the honour and independence of the country. In the meantime it is gratifying to me that I am enabled to inform you, that I receive from the foreign powers many proofs of the deep interest they take in our affairs.

It is not less gratifying to me, in this situation of affairs, to give to the assembly the assurance that

our means of defence, on the whole extent of the frontiers, are highly satisfactory and sufficient, and that the state of the land and sea forces, whose experience and discipline, as well as their persevering courage, merit the highest commendation, answer in every respect the endeavours which are unremittingly employed for that end.

Should, contrary to our hopes, the necessities of the country require a still greater development of force, then sufficient means are prepared by me from henceforth, with a full confidence in the disposition of the nation. The provincial and local authorities have again this year, with order, management, and the best result, executed the labours respecting the calling out and levyings for the national militia and schutters. The recruits show every readiness to join their brothers in arms. Every one of them emulates the regular force in a faithful discharge of his duty. The lot of the families of the defenders of the country is honourably protected and supported; and those in arms are, moreover, encouraged by liberal donations of the inhabitants. Notwithstanding the extraordinary inland equipments, our colonies are provided with the necessary shipping and troops, and protection is given to commerce and the fisheries. In the transmarine possessions a desirable internal order prevails. The more economical establishment which we have been able to form in the East Indies, and the advancement made there in agriculture (the beneficial influence of which is already felt) justify the hope, that our East-India possessions, in future, will open a still more enlarged source for trade and prosperity. Also in the West-

India colonies a more simplified form of government has lately been introduced; the saving resulting therefrom, combined with other favourable measures, will immediately lead to an alleviation of the difficulties which there pressed on industry, and the further promotion of which shall be my constant endeavour.

In our commerce and navigation there is observable rather an advance than decline. Obstructed in some branches by the force of circumstances, they are, by the enterprise of our merchants and ship-owners, considerably extended in others. We thus still occupy, among commercial nations, the station which properly belongs to us, and which, I hope, whatever perfidy or force may endeavour to deprive us of, to secure to my beloved subjects in future.

Agriculture has been blessed with an abundant harvest, and also in many other branches of industry we have enjoyed a share of prosperity, which, amidst the evils that affect our country, should call forth our gratitude.

In every department of the local administrations there has been a regular course; and the several local authorities have discharged their duties with good order and correctness.

The state of our sea and river works is satisfactory, and this year we have experienced no particular misfortunes.

Arts and sciences flourish, though the present state of affairs is so unfavourable. Education, to which every class is indebted for that sense of true liberty, for which the Old Netherlands are so renowned, maintains its eminence.

The destructive sickness which has attacked nearly the whole of

Europe, and from which we, till within a few months, mercifully had escaped, has at length penetrated this kingdom. The sum total of the attacked, and also of those who have fallen victims, compared with that of other countries, does not give an unfavourable view. General, provincial, and local measures, planned and managed with care, and supported by the diligence of the medical practitioners, co-operate as much as possible to check and palliate the evil, and offer an encouraging prospect, that, with the blessing of God, the pestilence will soon disappear from amongst us.

Many weighty points of legislation will again occupy your particular attention. Several projects for modifying the civil code, are now ready to be submitted to your noble mightinesses; and I cherish the hope that the entire civil code will be completed in the course of this session. Continuing in the course already adopted, I shall also, within a short time, bring under the consideration of your noble mightinesses the budget for the ensuing year, and those measures which have appeared most effectual to meet the exigencies of the state.

For the extraordinary expenditure which may result from a continuance of the present state of affairs, I wish again to use those means, which before were approved

of by your high mightinesses, and received so fully the approbation of those interested, that the necessity of forced contributions has soon declined, public credit is improved, and the treasury, conducted with order and economy, has remained in such a state as to render it able to meet all demands.

Heavy, however, are the burdens which the nation must yet bear, and the future remains still clouded; but the sense of honour and patriotism, which unanimously pervades the whole nation, makes her bear those burdens with a universal good will, and contribute with enthusiasm to the maintenance and protection of her national character.

Those feelings, noble and mighty lords, must give us confidence. A nation who do not forget the glory of their ancestors, and who render themselves so eminent in the present day by their attachment to law and good order, has a claim to respect from foreign countries. In the unanimity of the people, and in the justness of our cause, we find the strongest support; and by a mutual participation in the exigencies of the state, we have the firmest hope that, with full confidence in the Omnipotent Ruler of the world, in proper time, we shall be enabled to let our fellow-countrymen reap the fruit of the noblest perseverance.

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#### *SPEECH of the KING of the BELGIANS.*

*Brussels Tuesday, Nov. 13.*

Gentlemen,—The four months which have passed since the close of the last session have produced

events which must have an important effect on the future condition of the country.

Belgium has been recognized by the powers of Europe in succession,

and the national flag admitted into most foreign ports.

My union with the eldest daughter of the king of the French, whilst it has brought closer the ties which connect us with a generous people, has afforded a fresh occasion for my receiving from most of the Courts of Europe proofs of amity and wishes for the consolidation and prosperity of the new Belgian state.

After long delays, which, however, have been less prejudicial to the interests of the country than might have been expected, the moment has at length arrived when I have the happiness of responding to the wishes of the chamber and the nation, by inducing the Powers who guarantee the treaty of the 15th of November to assure its execution.

The Powers were convinced that if they longer abstained from having recourse to coercive measures, they would place Belgium in the imminent necessity of doing justice to herself, and they did not wish to incur that risk of a general war. Bound by a formal convention, two of them are pledged to commence the immediate evacuation of our territory. The united fleets of France and England restrain the commerce of Holland, and, if these means of coercion be not sufficient, in two days a French army will come, without disturbing the peace of Europe, to prove that the pledges given were not vain words.

Such, gentlemen, are the results of the policy hitherto pursued by the government; it is with confidence that I will cause to be submitted to your examination the negotiations which have produced these results.

The solution of the difficulties which have impeded the course of

the government will permit it now, gentlemen, to apply itself more exclusively to the administrative and financial ameliorations which the interest of the country requires.

Already the organization of the judicial power has completed the political constitution of the state, and placed the independence of the magistrates on definitive bases.

At the same time that the budget of 1833 will be submitted to you, there will be placed before you the accounts of 1830 and 1831.

The second part of the loan which you authorized has been contracted for on advantageous terms, all circumstances being taken into consideration. These circumstances, common in almost all the countries of Europe, have caused an increase of expenditure to Belgium, which must be met by a corresponding increase of burthens. The country will see the propriety of submitting to necessary sacrifices, when it casts its eyes around, and observes, that notwithstanding the important events which have occurred, it has never existed under a system of taxation as moderate and light as the present.

If the execution of the treaty by the Powers who have declared themselves the guarantees for that purpose should prevent our young and gallant army from signaling its valour, I place sufficient reliance on its devotion to feel assured, that, in the progress of the events which are now preparing themselves, the violation of the territory by the enemy, or any other act of aggression against Belgium, would not take place with impunity.

The interests of the army are the object of my earnest solicitude. It is still difficult to fix the period for disarming, though that measure.



has now become more probable. A project of law, relative to the organization of the army in time of peace, will, however, be submitted to you. Promotion, pensions, the allowances for active service and retirement, will also be the subjects of specific laws.

The provincial and communal administration has been left in a provisional state, which enfeebles the resources of the nation, and deprives the localities of many of their advantages and rights. This will be one of the most important subjects of your deliberations. If the duration of the session will permit of it, I will also direct your attention this year to the state of public instruction.

Some imperfections have been remarked in the laws relative to the civic guard and the militia. The ameliorations suggested by experience will be proposed to you. Some parts of our penal legislation will also be subjected to a revision, which will place them in harmony with the institutions and the morality of the country.

The general situation of the country continues to be satisfactory. The result has proved that the fears entertained respecting the future condition of our commerce and in-

dustry were exaggerated. I am happy to have it in my power to inform you, that the revenues of the state for the current year exceed all anticipations. New communications have been opened in the interior, and others are in preparation, and I am incessantly occupied with the task of opening new channels of trade, and extending our foreign commercial relations.

The scourge which has depopulated other countries has committed much lighter ravages amongst us. Administrative foresight may in part congratulate itself upon this result.

We approximate to a great event, gentlemen. The enfranchisement of our territory must contribute to strengthen public confidence; but you must reflect with sorrow that Belgium whole and entire has not been adopted by Europe. When the day of separation shall arrive, you will not be unmindful of the services rendered by populations which associated themselves with so much devotion to our cause. They have not ceased to occupy my thoughts. They deserve to engross those of the nation. Belgium may continue to be the country of their choice.

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DECREE of the KING of SPAIN RECALLING the ORDINANCE EXCLUDING FEMALES from the THRONE, DEC. 31, 1832.

The following declaration is from the *Madrid Gazette*. Upon the summons of the queen, the high personages whose names follow proceeded to the palace on the 31st of Dec. and there Don Francisco Fernandez del Pino, minister of justice, drew up the following attestation :

“ I certify and attest, that having been summoned by command of the queen, by the principal secretary of state, president of the council of ministers, to present myself this day in the chamber of the king our lord, and having been admitted into his royal presence at noon, there presented themselves with

me, in the same place, likewise summoned individually by royal command—the cardinal archbishop of Toledo; Don Francisco Castagdos, president of the royal council; Don Francisco Zea Bermudez, principal secretary of state; Don Joseph de la Cruz, minister of war; Don Francisco de Ulloa, minister of the marine; Don Victoriano de Encisna y Piedra, minister of the finances; the count d'Ofalia, minister of the general administration of the kingdom; the most ancient councillors of state at Madrid, count de Salaza, Louis Lopez Ballesteros, and marquis de Zambrano; the permanent deputation of the grandees, consisting of the duke de Villa-Hermosa, the marquis de Ceralbo, the marquis de Miraflores, the count de Cervellon, the count de Persent, the marquis de Alcagnices, and marquis de Triza; the patriarch of the Indies; the bishop coadjutor of Madrid; the commissary-general of Crusada; Don Francisco Marin, and Don Ignacio Gil, the oldest camaristes of Castile; Don Ignacio Omelrian y Rourera, dean of the supreme council of the Indies, and Don Francisco Caro y Torquemada, also camariste of the Indies; Don Angel-Fuertes, dean of the royal council of orders; Don Filipe de Cordova, governor of the supreme council of the finances; the titulars of Castile, count de St. Roman, marquis de Campoverde, marquis de la Cuadra, and count de Adanero; the deputation of the kingdoms, composed of Don Mathias Pazeja y Torres, Don Gonzales Nicto Inigo de Inigo, Don Josef Ferrer, Don Juan Pablo Pêres Caballero, Don Pedro Vivero y Moreo, and Don Santiago Lopez Reganion; Don Estaban Hurtado de Mendoza y Ponce de Leone, deputy

at court for the province of Guipuscoa; Don Josef Cariga; and Don Simón y Barsal, consul of the tribunal of commerce of Madrid; and in the presence of all, his majesty delivered to me a declaration, written entirely by his own royal hand, which he commanded me to read, as I did in a loud voice, in order that all might hear it, and the text of which follows:—

“ My royal mind having been taken by surprise, in moments of agony to which I had been brought by a serious malady, from which the divine mercy saved me in a prodigious manner, I signed a decree repealing the pragmatic sanction of the 29th of March, 1830, already resolved on by my august father, at the demand of the Cortes of 1789, for re-establishing the regular succession to the crown of Spain. The trouble of a situation in which it seemed that life was about to abandon me, would clearly indicate the absence of deliberation in this act, if its nature and effects did not manifest it. As a king, I could not destroy the fundamental laws of the kingdom, the re-establishment of which I had proclaimed; and, as a father, I could not of my own free will despoil my descendants of their august and legitimate rights. Disloyal or deluded men surrounded my bed, and abusing my love and that of my dear queen for my people, augmented her affliction, and added to the painfulness of my situation, by asserting that the whole kingdom was opposed to the observance of the pragmatic sanction, and representing to me that torrents of blood would flow, and a total destruction would ensue, if it were not abolished. This atrocious declaration, made under circumstances in the midst of which

it became a more sacred duty than ever that the truth should be told me by those peculiarly bound to tell it to me, and when I had neither time nor faculties to verify what they asserted, my worn-out mind in a state of consternation, and the little remains of understanding left to me completely absorbed in thinking only on the peace and preservation of my people, I was induced, as far as in me lay, as I have said in that decree, to make this great sacrifice to the tranquillity of the Spanish nation. Perfidy completed this horrible plot, commenced in seduction; and certificates of what I had done were spread abroad with the insertion of the decree, the seals having been faithlessly broken, which I had ordered to be respected till after my death. Being now fully made acquainted with the falsities by which the loyalty of my beloved Spaniards who were faithful to the descendants of their kings, were calumniated, being persuaded that it is no more in my power than it is my wish to depart from the immemorial custom, as to the succession established for ages, sanctioned by the law, justified by illustrious heroines, who have preceded me on the throne, and solicited by the unanimous voice of the kingdom—free from the influence and constraint of those disastrous circumstances, I declare solemnly, from my own free will, and by my own act, that the decree signed by me in the agonies of my illness

was obtained from me by surprise, that it was the result of misrepresentations with which my mind was assailed, that it is void and of no effect, being contrary to the fundamental laws of the monarchy and to the obligations imposed upon me, as a king and as a father, towards my august descendants.

“ ‘ In my palace, at Madrid, this 31st of December, 1832.’

“ Having finished the reading of this declaration, I returned it into the royal hands of his majesty, who repeating that it was his genuine and free-will, signed it in the presence of the above-mentioned personages, writing at the bottom ‘ Fernando ;’ and I enquired of all who were present if they were fully acquainted with its contents, and all of them having answered in the affirmative, the act was complete. His majesty then ordered all the said personages to retire, and I afterwards deposited this royal declaration in the secretariate confided to my care, in the archives of which it remains.

“ And in order that in all time hereafter it may have its full force and effect, I have given this present attestation at Madrid, the said 31st of December, 1832.

“ Signed

FRANCISCO FERNANDEZ DEL  
- PINO.”

By a decree signed by the queen regent of Spain, on the 28th of December, the count d’Ofalia has been appointed minister of the interior.

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#### ROMAN STATES—DIPLOMATIC CORRESPONDENCE.

(No. 1.)

“ *Rome, Sep. 7.*

“ The undersigned has the honour

to inform your excellency, that he has received orders from his court to quit Rome, and to return to his

post at Florence. The undersigned is at the same time instructed to state shortly to your excellency the motives which prompted the British government to order him to Rome, and the reasons why he is now instructed to leave it. The British government has no direct interest in the affairs of the Roman States, and did not volunteer an interference in them. It was originally invited by the governments of Austria and France to take part in the negotiations at Rome, and it yielded to the invitation of those Powers, from a belief that its good offices united to theirs might be useful in bringing about an amicable settlement of the differences between the Pope and his subjects, and might thereby remove causes of future danger to the peace of Europe. The ministers of Prussia and Russia at Rome having subsequently taken part in the negotiation, the representatives of the five Powers were not long at a loss, either to discover the main defects of the system of Roman administration, or to point out appropriate remedies; and in May, 1831, they presented to the papal government a memorandum, containing suggestions of improvements, which they all unanimously concurred in declaring indispensable for the permanent tranquillity of the Roman states, and which appeared to the British government to be founded in justice and reason. More than fourteen months have now elapsed since the memorandum was given in, and not one of the recommendations which it contains has been fully adopted and carried into execution by the papal government; for even the edicts which have been either prepared or published, and which profess to carry some of these recommendations into effect, differ

essentially from the measures recommended in the memorandum. The consequence of this state of things has been that which it was natural to expect. The papal government having taken no effectual steps to remedy the defect which had created the discontent, that discontent has been increased by the disappointment of hopes which the negotiations at Rome were calculated to excite, and thus, after the five Powers have for more than a year been occupied in restoring tranquillity in the Roman states, the prospect of voluntary obedience by the population to the authority of the sovereign seems not to be nearer than it was when the negotiations first commenced. The court of Rome appears to rely upon the temporary presence of foreign troops, and upon the expected service of an auxiliary Swiss force, for the maintenance of order in its territories. But foreign occupation cannot be indefinitely prolonged; and it is not likely that any Swiss force of such an amount as could be maintained by the financial means of the Roman government could be capable of suppressing the discontent of a whole population; and even if tranquillity could be restored by such means, it could not be considered to be permanently re-established, nor would such a condition of things be the kind of pacification which the British government intended to be a party in endeavouring to bring about. Under these circumstances, the undersigned is instructed to declare that the British government no longer entertains any hope of being able to effect any good in this matter, and that as no advantage is to be expected from the further stay of the undersigned at Rome, he is ordered to return to his post at

Florence. The undersigned is at the same time instructed to express the deep regret of his court, that all its endeavours during the last year and a half, to co-operate in re-establishing tranquillity in Italy, have proved abortive. The British government foresees that if the present system is persevered in, fresh disturbances must take place in the Papal States, of a character progressively more and more serious, and that out of these disturbances may spring complications dangerous to the peace of Europe. Should these anticipations unfortunately be realized, Great Britain will at least stand acquitted of all responsibility for evils created by the rejection of counsels which the British government has urged with so much earnestness and perseverance. The undersigned avails himself with eagerness to offer his excellency the assurance, &c.

“G. H. SEYMOUR.”

[Directed to each of the ambassadors composing the political Conference at Rome.]

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(No. 2.)

COPY of a NOTE from the COUNT DE LUTZOW to Mr. G. A. SEYMOUR.

“Rome, Sept. 12, 1832.

“The undersigned ambassador of his imperial and royal apostolical majesty has received the note which Mr. Seymour, resident minister of his Britannic majesty at the court of Tuscany, has done him the honour of addressing to him, under date of the 7th inst., and in which he informs him that the orders of his Court oblige him to quit Rome, and to return to his post at Florence. The undersigned would doubly regret this communication, from the motives assigned, which

must have led to it, if he were not now called upon to reply, without reserve, and in a corresponding manner, to the explanations contained in Mr. Seymour's note.

“On the 14th of July last, the ambassador extraordinary of his Britannic majesty at the Court of Vienna, transmitted to the prince chancellor of the Court and state, a note, in which his excellency communicated to him the recall of Mr. Seymour from Rome. This announcement contained likewise a detailed exposition of the reasons which induced the cabinet of St. James's no longer to take a direct part in Roman affairs. His majesty the emperor and king, upon his return from the journey he had made into the Tyrol, commanded his minister to reply to this communication, by expressing his sincere regret, and by explanations of the most frank and explicit character, such as his majesty was desirous of putting in the possession of a cabinet, whose principal and most permanent political interests are so intimately blended with those of his empire.

“The undersigned has received from his august Court a communication of the note addressed in reply to his excellency sir Frederick Lamb, and as he had been led to think, from the official note which the English minister did him the honour to address to him on the 7th of September, that he seemed to be ignorant of the existence of such a document, and consequently of the reasons and principles which have actuated the Court of Vienna, and which have also guided it in this affair, he takes the opportunity of furnishing him with the subjoined copy.

“The undersigned begs Mr. Seymour will have the goodness to

consider it as a reply to his communication ; and it would savour of arrogance on the part of the undersigned to presume to reply in a more conclusive manner, to overtures which owe their origin to the same decision which has been come to by the cabinet of St. James's, and to the same directions which were addressed to the ambassador of his Britannic majesty at the Court of his imperial and royal apostolic majesty. Whatever can tend to establish the truth in pure simplicity is to be found in the note of his highness the prince chancellor, and the facts stated are supported by official acts alone, and unimpeachable guarantees, which can be justified by an appeal to the truth of history.

“ The question respecting the memorandum of 1831 is there elucidated, and the validity of the reasons which decided the Pope to reject some of the measures recommended by the Conference of 1831 cannot but be admitted to be powerful. Subsequent experience authorizes an impartial judge of them to ascribe to them a real and practical value.

“ The situation of the respective positions not having experienced any unfavourable alteration since the period when the note hereto annexed was delivered, the government of his holiness being moreover fully determined to follow the advice which the friendly Powers, interested in his consolidation, had suggested to him, as it is also to fulfil scrupulously the engagements which the sovereign pontiff, impressed with the necessity of a perfect and lasting union between the interests of the throne and those of the nation, had freely contracted in the face of Europe on his accession to the throne, the undersigned

cannot participate in the apprehension expressed in the note of the English minister ; it is to be hoped that the people, following henceforward only the innate and habitual sense of what is truly useful and profitable to them, will know how to repel the perfidious counsels of a faction inimical to all thrones, and which has assuredly not occupied itself hitherto with what is understood under the phrase ‘ happiness of the people.’ From that period everything leads to the conviction, that order will revive when this occult power, banished as it is from the councils of all kings, shall be as justly appreciated by the people whom it is desirous to seduce into revolt, qualified now by differences with the sovereign. Nothing will then prevent the holy father from pursuing, in his turn, the regeneration of his states, and from removing thereby every subject of collision and complication, which all princes, as well as private individuals and chiefs of government, have it equally at heart to avoid.

“ The undersigned seizes this opportunity, &c.

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(No. 8.)

*COPY of a NOTE ADDRESSED by his HIGHNESS PRINCE DE METTERNICH to his EXCELLENCY SIR FREDERICK LAMB, AMBASSADOR from his BRITANNIC MAJESTY to his IMPERIAL and ROYAL APOSTOLIC MAJESTY.*

*“ Baden, July 28.*

“ The undersigned chancellor of court and state has received the note which his excellency the ambassador of his Britannic majesty did him the honour to address to him on the 14th inst.

“ Conceiving it to be his duty to bring it to the knowledge of the



emperor, his imperial majesty has commanded him to reply to it, by entering, on the subject of the position of affairs in the pontifical states, into the most complete and frank explanations, such as are claimed by the ancient relations of cordiality and confidence, which his majesty has always set the highest value on keeping up with his intimate friend and ally, the king of Great Britain. He regards this course as the surest, and in order to destroy an opinion which he has with pain perceived that the British cabinet appears to have adopted, and which would tend to lay to the account of Austria the dangers which may threaten the future tranquillity of Italy, but which, in fact, proceed solely from the unfortunate circumstances of the present period, and from the assiduous efforts of a faction inimical to order and public repose ; whilst the Austrian cabinet employs all its care and unremitted exertions to divert these very dangers.

“ The paper, to which the present note is a reply, traces back as far as the opening of the Conference between the representatives of the great Powers assembled at Rome in the spring of 1831. The undersigned will take up from the same period the series of facts stated in the documents now before him ; and he will have no difficulty in expounding from thence the principles which have guided the course of Austria, and which, at this very time, determine her attitude, in respect to the affair under consideration.

“ The object of the Conference formed at Rome, after the entry of the Austrian troops into the Legations, in the month of March, 1831, between the ambassadors of Austria and France, and the ministers of

Prussia and Russia, with the concurrence of an envoy from the English government, was clearly defined at the time by the Austrian cabinet ; it was ‘ to submit the term of the foreign troops remaining in Ancona and Bologna to the better judgment of the assembled representatives of the five Courts, with the consent of the Pontifical government.’

“ The ameliorations in the administration of the Roman States, to which the holy father had shown himself disposed by antecedent declarations, being one of the means of assuring public tranquillity, after the retreat of the Austrian troops, had also been recommended to the representatives of the Powers, with the view of their coming to an understanding on this point with his holiness’s government. But the Austrian cabinet, though prepared to concur in this object by the way of advice, has never recognized the right of imposing anything on the holy father, and has invariably placed limits to his participation, traced by the respect due to the independence of this sovereign.

“ The Austrian ambassador, deferring to the opinion of his colleagues, transmitted, conjointly with them, the memorandum of the 21st of May, to the Cardinal Secretary of State.

“ The Austrian cabinet testified its satisfaction, that, by the memorandum, communications between the Conference and the Pontifical government were opened on the subject of the ameliorations which, after the intentions manifested by the holy father, must take place in the administration of the Roman States ; but, abstaining from entering into any details on this subject, it was of opinion that ‘ it was at

Rome that these matters ought to be maturely examined, elaborated, and resolved upon, in order that a really practical result might be obtained.'

"The pontifical government not making an explicit reply to the memorandum, and having restricted itself in its notes to the ambassador of France of the 5th of June, and to the ambassador of Austria dated the same month, to declaring the principal bases of the new institutions it was preparing, count St. Aulaire insisted, in his reply of the 7th of June, upon a larger extension being given to those institutions, conformably to the contents of the memorandum, and count Lutzow explained himself to the same effect in his note of the 27th of the said month. This note places beyond doubt the good faith of this ambassador, in supporting the points recommended in the memorandum.

"But the replies of the cardinal secretary of state, addressed to the two ambassadors on the 3rd of July, discovered the determination of the Court of Rome not to pledge itself to ulterior concessions. It consented to the evacuation of Bologna by the Austrian garrison; and the English envoy, sir Brook Taylor, quitted Rome when, in the sequel of this measure, every subject of complication between Austria and France appeared to be removed. Meanwhile the holy father published successively the legislative dispositions he had announced. They were repelled by that part of the population of the Legations, whose manifest object was to withdraw those countries entirely from the pontifical rule, and who, with that view, continued in a state of insurrection

against the Holy See, regarding, no doubt, this position as a means of attaining their end. But most of the objects recommended in the memorandums were accomplished on the part of the Pontifical government, as may be seen in the following comparative table:—

"The holy father refused only two principal points—

"1. The admission of the principle of popular election, as a basis of the communal and provincial councils.

"2. The formation of the council of state, composed of lay persons, besides the sacred college, or rather in opposition to it.

"It belonged not undoubtedly to Austria, nor to any other power, to dictate the law to the sovereign pontiff, particularly respecting matters, which, being out of the sphere of administrative ameliorations, on which it was allowable to give advice to his holiness, related essentially to the form of his government, and tended to create a new power in the state. The Austrian cabinet was bound to yield on this point to the legitimate resistance of the Pope, as well as to the unanimous protests of the other governments of Italy, which perceive in such concessions as these, an imminent danger to the tranquility of their states, to whose institutions the principle of popular election is altogether alien. Moreover, he had himself acquired by the most positive facts which have been communicated to the British government, the complete and thorough conviction that the concessions demanded by the malcontents were even in their own eyes, but arms wherewith to attack the Pontifical government, whose very existence they wished to destroy, and

the means of exciting and constantly keeping up troubles in this state.

“The whole of the laws and institutions published by the holy father, at length received the solemn and unequivocal suffrages of the great Powers present at Rome, by the notes which they addressed to the cardinal secretary of state, on the 12th of January last at the moment when the measures taken by his holiness to recall to obedience the refractory provinces were announced to them. The official acts in reply to the circular note of the 11th of January have thus a *synallagmatical* character, to the validity of which we are not certainly to oppose that of the official advice which the same diplomatic personages addressed to the court of Rome in the memorandum of the 21st of May preceding.

“The events which followed are well known. Since the re-entry of the imperial troops into the Legations, and the forcible occupation of Ancona by the French, the Austrian cabinet has perceived the value of the opinion expressed by the Pontifical government, that every new concession granted by that government, either to the demands of its malcontent subjects, or to the request of a foreign nation by a diplomatic channel, would be derogatory to the independence of the sovereign, from whom it would be, in appearance at least, extorted by force of arms; and that in the fact of concessions founded upon the armed intervention of foreigners, the factious would find a precedent, of which they would not fail to avail themselves to obtain new concessions by means of an appeal to foreigners.

“This mode of viewing things

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was frankly communicated to the French government, and to that of Great Britain, as well as the concessions to which allusion has been made, as dangerous to the rest of Italy, and as the unfailing source of permanent troubles in the state where they may be admitted. Penetrated with this conviction, the emperor could not in conscience hold a different language to the holy father.

“But his imperial majesty did not at the same time cease to urge, in a most pressing manner, the sovereign pontiff, not only to maintain, in complete execution, the legislative dispositions already published, but also to give to those dispositions a character of stability which should place them beyond the risk of future changes, without preventing useful improvements. The proofs of the solicitude of the Austrian cabinet on this head have been placed before the British cabinet. But the interest which Austria feels in wishing all just subjects of discontent in the pontifical states to be put an end to has not stopped here. The most earnest recommendation for the establishment of the best possible order in the different branches of the administration have not been spared to the Roman government, and experienced Austrian functionaries, who were well acquainted with Italy, were placed at its disposal, in order to aid in introducing all practicable ameliorations in the difficult circumstances in which it is placed, and which have been occasioned principally by the troubles perpetuated for the last eighteen months in a considerable part of its provinces.

“Such is the manner in which Austria undertook to exercise the influence which the upright and

disinterested character of its councils procured for her at the Court of Rome. Repelling, as far as himself was concerned, all territorial aggrandizement, firmly resolved to maintain, in concert with his allies, the state of possession as established by treaties in the Italian peninsula, and particularly the integrity of the Holy See, the emperor is determined to oppose whatever would tend to subvert the temporal sovereignty of the Holy See, or to detach from it any of its provinces.

"His imperial majesty entertains a perfect conviction, that the concessions proposed to change the form of the pontifical government, have no other worth, in the estimation of those by whom they are demanded, than that of a means to reach their real end, — that of withdrawing themselves entirely from the Holy See; and that these concessions cannot have any other result than to lead to new pretensions and fresh troubles. It is, therefore, out of regard to the repose of Italy that the emperor deems himself bound to refuse his support to these demands; and it is thus, that, obeying the voice of his conscience, he serves truly the cause of general peace, which is the object of his wishes and constant solicitude. Rendering full justice to the dispositions which the French government, guided by motives of self-preservation, manifests in this respect, the Austrian cabinet resigns itself also to the confidence that it will be always easy to arrive at an understanding which will get rid of any difficulties that may present themselves in the course of events; and it entertains, consequently, no apprehensions of a serious complication, which should  
its rise in the administrative  
s of a third and independ-

ent state. But, strong in the sincerity of his sentiments, at once pacific, just, and conciliatory, the emperor cherishes, at the same time, the intimate persuasion of finding, in all cases, his Britannic majesty disposed, like himself, to maintain and strengthen the indissoluble bonds of amity and alliance which have united for so long a period the two monarchs, and to which rectitude of principles, and identity of views and interests, serve on both sides as a guarantee.

"The undersigned requests the ambassador to bring the contents of this reply to the knowledge of his government, and eagerly seizes the opportunity," &c. &c.

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(No. 4.)

NOTE of MR. SKYMOUR to the  
COUNT DE LUTZOW.

*"Rome, Sept. 19.*

"The undersigned begs to acknowledge the receipt of the note of the 12th, which the count de Lutzow, ambassador extraordinary of his imperial and royal apostolic majesty, has returned to the communication which he had the honour of addressing to his excellency on the 7th inst. The note from his highness prince Metternich to sir F. Lamb, which count de Lutzow has had the kindness to communicate to the undersigned, was already in his possession, and having been received in London some days before the departure of the messenger who was the bearer of instructions for his quitting Rome, the undersigned is obliged to infer that the observations contained in this paper have not appeared to his majesty's government to be of such a nature as to alter the views they had taken of the state of Roman affairs. The undersigned, as at

present instructed, believes that his majesty's government still entertains the opinion that the ameliorations introduced by the Pope since the Conferences of the last year are not of such a nature as to correspond satisfactorily either with the suggestions which were conjointly made to his holiness, by the representatives of the great Powers, in May, 1831, or with the expectations which were held out towards the same period to the subjects of the Pope, in the name of their sovereign. His majesty's government is unquestionably aware, that among the subjects of his holiness there are to be found those who belong to the dangerous faction to which count Lutzow's note refers, those, namely, who would remain dissatisfied with any amount of concessions which might be obtained for them; but the fact does not alter their opinion that the wishes of a much larger and more reasonable proportion of the Roman population might be complied with, with signal advantage both to the subjects and to the government of Rome. A separation would be thus effected among the parties of the discontented, and while one class would become bound by fresh ties to their sovereign, the other would be rendered powerless by the injustice of its demands. With these and similar views, his majesty's government have been, up to the present time, disposed to continue their good offices in as-

sisting to adjust the difficulties with which the affairs of the papal dominions are beset; but although no doubt can be entertained that the same ulterior views with regard to these states is sought for by all the great Powers, a difference of opinion appears unquestionably to exist as to the means by which the end is to be obtained. Time will not fail to show the fallacy or correctness of the view taken of Roman affairs, and their consequences by his majesty's government, and the undersigned can only assure count Lutzow of the pleasure which he shall experience in finding that his gloomy forebodings have not been realized. He begs, at the same time, to avail himself of perhaps the last opportunity he may have of addressing count Lutzow for the purpose of expressing to his excellency his conviction that the dangers to which it has been his duty to allude will be diminished in proportion as that course of improvement which his excellency's note announces on the part of the papal government shall be resolutely and amply adopted. The undersigned has the honour to offer his excellency the assurance, &c.

“ G. H. SEYMOUR.

“ To his excellency the count de Lutzow, ambassador of his imperial and royal apostolic majesty, &c. &c. &c.”

CONVENTION RELATIVE *to the SOVEREIGNTY of GREECE, between THE KING of GREAT BRITAIN and IRELAND, THE KING of the FRENCH, and THE EMPEROR of ALL THE RUSSIAS, on the one part, and THE KING of BAVARIA, on the other.*—Signed at LONDON, MAY 7, 1832.

*Presented to both Houses of Parliament, by command of his Majesty.*

The courts of Great Britain, France, and Russia, exercising the power conveyed to them by the Greek nation, to make choice of a sovereign for Greece, raised to the rank of an independent state, and being desirous of giving to that country a fresh proof of their friendly disposition, by the election of a prince descended from a royal house, the friendship and alliance of which cannot fail to be of essential service to Greece, and which has already acquired claims to her esteem and gratitude, have resolved to offer the crown of the new Greek state to the prince Frederick Otho of Bavaria, second son of his majesty the king of Bavaria.

His majesty the king of Bavaria on his part, acting in the character of guardian of the said prince Otho during his minority, participating in the views of the three Courts, and duly appreciating the motives which have induced them to fix their choice upon a prince of his house, has determined to accept the crown of Greece for his second son the prince Frederick Otho of Bavaria.

In consequence of such acceptance, and for the purpose of agreeing upon the arrangements which it has rendered necessary, their majesties the king of the united kingdom of Great Britain and Ireland, the king of the French, and the emperor of all the Russias, on the one part, and his majesty, king of Bavaria, on the other,

have named as their plenipotentiaries, &c., &c. Who, after having exchanged their full powers, found to be in good and due form, have agreed upon and signed the following articles:—

ARTICLE I. The courts of Great Britain, France, and Russia, duly authorised for this purpose by the Greek nation, offer the hereditary sovereignty of Greece to the prince Frederick Otho, of Bavaria, second son of his majesty the king of Bavaria.

II. His majesty the king of Bavaria, acting in the name of his said son, a minor, accepts, on his behalf, the hereditary sovereignty of Greece on the conditions hereinafter settled.

III. The prince Otho of Bavaria shall bear the title of king of Greece.

IV. Greece, under the sovereignty of the prince Otho of Bavaria, and under the guarantee of the three Courts, shall form a monarchical and independent state, according to the terms of the protocol, signed between the said Courts, on the 3rd of February, 1830, and accepted both by Greece and by the Ottoman Porte.

V. The limits of the Greek state shall be such as shall be definitively settled by the negotiations which the Courts of Great Britain, France, and Russia, have recently opened with the Ottoman Porte, in execution of the protocol of the 26th of September, 1831.



VI. The three courts having beforehand determined to convert the protocol of the 3rd of February 1830, into a definitive treaty, as soon as the negotiations relative to the limits of Greece shall have terminated, and to communicate such treaty to all the states with which they have relations, it is hereby agreed that they shall fulfil this engagement, and that his majesty the king of Greece shall become a contracting party to the treaty in question.

VII. The three courts shall, from the present moment, use their influence to procure the recognition of the prince Otho of Bavaria as king of Greece, by all the sovereigns and states with whom they have relations.

VIII. The royal crown and dignity shall be hereditary in Greece ; and shall pass to the direct and lawful descendants and heirs of the prince Otho of Bavaria, in the order of primogeniture. In the event of the decease of the prince Otho of Bavaria, without direct and lawful issue, the crown of Greece shall pass to his younger brother, and to his direct and lawful descendants and heirs, in the order of primogeniture. In the event of the decease of the last-mentioned prince also, without direct and lawful issue, the crown of Greece shall pass to his younger brother, and to his direct and lawful descendants and heirs, in the order of primogeniture.

In no case shall the crown of Greece and the crown of Bavaria be united upon the same head.

IX. The majority of the prince Otho of Bavaria, as king of Greece, is fixed at the period when he shall have completed his twentieth year ; that is to say, on the 1st of June, 1835.

X. During the minority of the prince Otho of Bavaria, king of Greece, his rights of sovereignty shall be exercised in their full extent by a regency, composed of three councillors, who shall be appointed by his majesty the king of Bavaria.

XI. The prince Otho of Bavaria shall retain the full possession of his appanages in Bavaria. His majesty the king of Bavaria moreover engages to assist, as far as may be in his power, the prince Otho in his position in Greece, until a revenue shall have been set apart for the crown in that state.

XII. In execution of the stipulations of the protocol of the 20th of February, 1830, his majesty the emperor of all the Russias engages to guarantee, and their majesties the king of the united kingdom of Great Britain and Ireland and the king of the French, engage to recommend, the former to his parliament, the latter to his chambers, to enable their majesties to guarantee, on the following conditions, a loan to be contracted by the prince Otho of Bavaria, as king of Greece.

1. The principal of the loan to be contracted under the guarantee of the three powers shall not exceed a total amount of 60,000,000 of francs.

2. The said loan shall be raised by instalments of 20,000,000 of francs each.

3. For the present, the first instalment only shall be raised, and the three courts shall each become responsible for the payment of one-third of the annual amount of the interest and sinking fund of the said instalment.

4. The second and the third instalments of the said loan may also be raised, according to the

necessities of the Greek state, after previous agreement between the three courts and his majesty the king of Greece.

5. In the event of the second and third instalments of the above-mentioned loan being raised in consequence of such an agreement, the three Courts shall each become responsible for the payment of one third of the annual amount of the interest and sinking fund of these two instalments, as well as of the first.

6. The sovereign of Greece and the Greek state shall be bound to appropriate to the payment of the interest and sinking fund of such instalments of the loan as may have been raised under the guarantee of the three Courts, the first revenues of the state, in such manner that the actual receipts of the Greek treasury shall be devoted, first of all, to the payment of the said interest and sinking fund, and shall not be employed for any other purpose, until those payments on account of the instalments of the loan raised under the guarantee of the three Courts shall have been completely secured for the current year.

The diplomatic representatives of the three Courts in Greece shall be especially charged to watch over the fulfilment of the last-mentioned stipulation.

XIII. In case a pecuniary compensation in favour of the Ottoman Porte should result from the negotiations which the three courts have already opened at Constantinople for the definitive settlement of the limits of Greece, it is understood that the amount of such compensation shall be defrayed out of the proceeds of the loan which forms the subject of the preceding article.

V. His majesty the king of

Bavaria shall lend his assistance to the prince Otho in raising in Bavaria a body of troops, not exceeding 3,500 men, to be employed in his service, as king of Greece, which corps shall be armed, equipped and paid by the Greek state, and be sent thither as soon as possible, in order to relieve the troops of the Alliance hitherto stationed in Greece. The latter shall remain in that country entirely at the disposal of the government of his majesty the king of Greece, until the arrival of the body of troops above mentioned. Immediately upon their arrival, the troops of the Alliance already referred to, shall retire, and altogether evacuate the Greek territory.

XV. His majesty the king of Bavaria shall also assist the prince Otho in obtaining the services of a certain number of Bavarian officers, who shall organize a national military force in Greece.

XVI. As soon as possible after the signature of the present convention, the three councillors who are to be associated with his royal highness the prince Otho by his majesty the king of Bavaria, in order to compose the regency of Greece, shall repair to Greece, shall enter upon the exercise of the functions of the said regency, and shall prepare all the measures necessary for the reception of the sovereign, who, on his part, will repair to Greece with as little delay as possible.

XVII. The three courts shall announce to the Greek nation, by a joint declaration, the choice which they have made of his royal highness the prince Otho of Bavaria as king of Greece, and shall afford the regency all the support in their power.

XVIII. The present convention

shall be ratified, and the ratifications shall be exchanged in London in six weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London the seventh day

of May, in the year of our Lord one thousand eight hundred and thirty-two.

(L. S.) PALMERSTON.

(L. S.) TALLEYRAND.

(L. S.) LIEVEN.

(L. S.) MATUSZEWICZ.

(L. S.) A. DE CETTO.

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*SPEECH of the PRESIDENT of the UNITED STATES.*

*" New York, Dec. 5.*

*" Fellow Citizens of the Senate, and House of Representatives.*

*" It gives me pleasure to congratulate you on your return to the seat of government for the purpose of discharging your duties to the people of the United States. Although the pestilence which had traversed the old world, has entered our limits, and extended its ravages over much of our land, it has pleased Almighty God to mitigate its severity, and lessen the number of its victims compared with those who have fallen in most other countries over which it has spread its terrors. Notwithstanding this visitation, our country presents on every side marks of prosperity and happiness unequalled, perhaps, in any other portion of the world. If we fully appreciate our comparative condition, existing causes of discontent will appear unworthy of attention, and with hearts of thankfulness to that Divine Being who has filled our cup of prosperity, we shall feel our resolution strengthened to preserve and hand down to posterity that liberty and that union which we have received from our fathers, and which constitute the sources and the shield of all our blessings.*

*" The relations of our country continue to present the same picture of amicable intercourse that I had the satisfaction to hold up to your view at the opening of your last session. The same friendly professions, the same desire to participate in our flourishing commerce, the same disposition to refrain from resenting injuries unintentionally offered, are, with a few exceptions, evinced by all nations with whom we have any intercourse. This desirable state of things may be mainly ascribed to our undeviating practice of the rule which has long guided our national policy—to require no exclusive privileges in commerce, and to grant none. It is daily producing its beneficial effect in the respect shown to our flag, the protection of our citizens and property abroad, and in the increase of our navigation and the extension of our mercantile operations. The returns which have been made out since we last met will show an increase during the last preceding year of more than 80,000 tons in our shipping, and of nearly 40,000,000 of dollars in the aggregate of our imports and exports.*

*Nor have we less reason to felicitate ourselves on the position of our political than of our commercial*

concerns. They remain in the state in which they were when I last addressed you—a state of prosperity and peace, the effect of a wise attention to the parting advice of the reverend father of his country on this subject, condensed into a maxim for the use of posterity by one of his most distinguished successors—to cultivate free commerce and honest friendship with all nations, and to make entangling alliances with none. A strict adherence to this policy has kept us aloof from the perplexing questions that now agitate the European world, and have more than once deluged those countries with blood. Should these scenes unfortunately recur, the parties to the contest may count on a faithful performance of the duties incumbent on us as a neutral nation, and our own citizens may equally rely on the firm assertion of their neutral rights.

With the nation that was our earliest friend and ally in the infancy of our political existence the most friendly relations have subsisted through the late revolutions of government, and, from the events of the last, promise a permanent duration. It has made an approximation in some of its political institutions to our own, and raised a monarch to the throne who preserves, it is said, a friendly recollection of the period during which he acquired among our citizens the high consideration that could then have been produced by his personal qualifications alone.

Our commerce with that nation is gradually assuming a mutually beneficial character, and the adjustment of the claims of our citizens has removed the only obstacle there was to an intercourse not only

lucrative but productive of literary and scientific improvement.

From Great Britain I have the satisfaction to inform you that I continue to receive assurances of the most amicable disposition, which have on my part, on all proper occasions, been promptly and sincerely reciprocated. The attention of that government has latterly been so much engrossed by matters of a deeply interesting domestic character, that we could not press upon it the renewal of negotiations which had been unfortunately broken off by the unexpected recall of our minister, who had commenced them with some hopes of success. My great object was the settlement of questions which, though now dormant, might hereafter be revived under circumstances which would endanger the good understanding which it is the interest of both parties to preserve inviolate, cemented, as it is, by a community of language, manners, and social habits, and by the high obligations we owe to our British ancestors for many of our most valuable institutions, and for that system of representative government which has enabled us to preserve and improve them.

The question of our north-eastern boundary still remains unsettled. In my last annual message I explained to you the situation in which I found that business on my coming into office, and the measures I thought it my duty to pursue for asserting the rights of the United States before the sovereign who had been chosen by my predecessor to determine the question, and also the manner in which he had disposed of it. A special message to the senate in their executive capacity, afterwards

brought before them the question, whether they would advise a submission to the opinion of the sovereign arbiter. That body having considered the award as not obligatory, and advised me to open a further negotiation, the proposition was immediately made to the British government, but the circumstances to which I have alluded have hitherto prevented any answer being given to the overture. Early attention, however, has been promised to the subject, and every effort on my part will be made for a satisfactory settlement of this question, interesting to the Union generally, and particularly so to one of its members.

The claims of our citizens on Spain are not yet acknowledged. On a closer investigation of them than appears to have heretofore taken place, it was discovered that some of those demands, however strong they might be upon the equity of that government, were not such as could be made the subject of national interference; and, faithful to the principle of asking nothing but what was clearly right, additional instructions have been sent to modify our demands, so as to embrace those only on which, according to the laws of nations, we had a strict right to insist. An inevitable delay in procuring the documents necessary for this review of the merits of these claims retarded this operation, until an unfortunate malady which has afflicted his Catholic majesty prevented an examination of them. Being now for the first time presented in an unexceptionable form, it is confidently hoped the application will be successful.

I have the satisfaction to inform you that the application I directed to be made for the delivery of a

part of the archives of Florida, which had been carried to the Havannah, has produced a royal order for their delivery, and that measures have been taken to procure its execution.

By the report of the secretary of state, communicated to you on the 28th of June last, you are informed of the conditional reduction obtained by the minister of the United States at Madrid of the duties on tonnage levied on American shipping in the ports of Spain. The condition of that reduction having been complied with on our part, by the act passed on the 13th of July last, I have the satisfaction to inform you that our ships now pay no higher nor other duties in the continental ports of Spain than are levied on their national vessels.

The demands against Portugal for illegal captures in the blockade of Terceira have been allowed to the full amount of the accounts presented to the claimants, and payment was promised to be made in three instalments. The first of these has been paid—the second, although due, had not, at the date of our advices, been received; owing, it was alleged, to embarrassments in the finances, consequent on the civil war in which that nation is engaged.

The payments stipulated by the convention with Denmark have been punctually made, and the amount is ready for distribution among the claimants as soon as the board now sitting shall have performed their functions.

I regret that, by the last advices from our chargé d'affaires at Naples, that government had still delayed the satisfaction due to our citizens; but at that date the effect of the last instructions was not known. Despatches from thence

are hourly expected, and the result will be communicated to you without delay.

With the rest of Europe our relations, political and commercial, remain unchanged. Negotiations are going on to put on a permanent basis the liberal system of commerce now carried on between us and the empire of Russia. The treaty concluded with Austria is executed by his Imperial majesty with the most perfect good faith; and as we have no diplomatic agent at his Court, he personally inquired into and corrected a proceeding of some of his subaltern officers to the injury of our consul in one of his ports.

Our treaty with the Sublime Porte is producing its expected effects on our commerce. New markets are opening for our commodities, and a more extensive range for the employment of our ships. A slight augmentation of the duties on our commerce, inconsistent with the spirit of the treaty, had been imposed; but on the representation of our chargé d'affaires, it has been promptly withdrawn, and we now enjoy the trade and navigation of the Black Sea, and of all the ports belonging to the Turkish empire in Asia, on the most perfect equality with all foreign nations.

I wish earnestly, that in announcing to you the continuance of friendship, and the increase of a profitable commercial intercourse with Mexico, with central America, and the states of the south, I could accompany it with the assurance that they are all blessed with that internal tranquillity and foreign peace which their heroic devotion to the cause of their independence merits. In Mexico a sanguinary struggle is now carried

on, which has caused some embarrassment to our commerce, but both parties profess the most friendly disposition towards us. To the termination of this contest we look for the establishment of that secure intercourse so necessary to nations whose territories are contiguous. How important it will be to us we may calculate from the fact that even in this unfavourable state of things our maritime commerce has increased, and an internal trade by caravans from San Luis to Santa Fe, under the protection of escorts furnished by the government, is carried on to great advantage, and is daily increasing. The agents provided for by the treaty with this power to designate the boundaries which it established have been named on our part; but one of those evils of the civil war now raging there has been, that the appointment of those with whom they were to co-operate has not yet been announced to us.

The government of Central America has expelled from its territory the party which some time since disturbed its peace. Desirous of fostering a favourable disposition towards us, which has on more than one occasion been evinced by this interesting country, I made a second attempt in this year to establish a diplomatic intercourse with them, but the death of the distinguished citizen whom I had appointed for that purpose has retarded the execution of measures from which I hoped much advantage to our commerce. The union of the three states which formed the republic of Colombia has been dissolved; but they all, it is believed, consider themselves as separately bound by the treaty which was made in their federal capacity. The minister accredited to the



federation continues in that character near the government of New Grenada; and hopes were entertained that a new union would be formed between the separate states, at least for the purpose of foreign intercourse. Our minister has been instructed to use his good offices whenever they shall be desired, to produce the re-union so much to be wished, for the domestic tranquillity of the parties, and the security and facility of foreign commerce.

Some agitations naturally attendant on an infant reign have prevailed in the empire of Brazil, which have had the usual effect upon commercial operations; and while they suspended the consideration of claims created on similar occasions, they have given rise to new complaints of our citizens. A proper consideration for calamities and difficulties of this nature has made us less urgent and peremptory in our demands for justice than our duty to our fellow-citizens would, under other circumstances, have required. But their claims are not neglected, and will on all proper occasions be urged, and it is hoped with effect.

I refrain from making any communication on the subject of our affairs with Buenos Ayres, because the negotiation communicated to you in my last annual message was, at the date of our last advices, still pending, and in a state that would render a publication of the details inexpedient.

A treaty of amity and commerce has been formed with the republic of Chili, which, if approved by the senate, will be laid before you. That government seems to be established and at peace with its neighbours; and its ports being the resorts of our ships which are

employed in the highly important trade of the fisheries, this commercial convention cannot but be of great advantage to our fellow-citizens engaged in that perilous but profitable business.

Our commerce with the neighbouring state of Peru, owing to the onerous duties levied on our principal articles of export, has been on the decline, and all endeavours to procure an alteration have hitherto proved fruitless. With Bolivia we have yet no diplomatic intercourse, and the continual contests carried on between it and Peru have made me defer until a more favourable period the appointment of any agent for that purpose.

An act of atrocious piracy having been committed on one of our trading ships by the inhabitants of a settlement on the west coast of Sumatra, a frigate was despatched with orders to demand satisfaction for the injury, if those who committed it should be found members of a regular government, capable of maintaining the usual relations with foreign nations; but if, as it was supposed, and as they proved to be, they were a band of lawless pirates, to inflict such a chastisement as would deter them and others from like aggressions. This last was done, and the effect has been an increased respect for our flag in those distant seas, and additional security for our commerce.

In the view I have given of our connexion with foreign Powers allusions have been made to their domestic disturbances or foreign wars, to their revolutions or dissensions. It may be proper to observe that this is done solely in cases where those events affect our political relations with them, or to show their operation on our com-

merce. Further than this it is neither our policy nor our right to interfere. Our best wishes on all occasions, our good offices when required, will be afforded to promote the domestic industry and foreign peace of all nations with whom we have any intercourse. Any intervention in their affairs further than this, even by the expression of an official opinion, is contrary to our principles of international policy, and will always be avoided.

The report which the secretary of the treasury will in due time lay before you will exhibit the national finances in a highly prosperous state. Owing to the continued success of our commercial enterprise, which has enabled the merchants to fulfil their engagements with the government, the receipts from customs during the year will exceed the estimate presented at the last session, and, with the other means of the treasury, will prove fully adequate, not only to meet the increased expenditure resulting from the large appropriations made by congress, but to provide for the payment of all the public debt which is at present redeemable. It is now estimated that the customs will yield to the treasury, during the present year, upwards of 28,000,000 dollars. The public lands, however, have proved less productive than was anticipated, and according to present information, will not much exceed 2,000,000 dollars. The expenditures for all objects other than the public debt are estimated to amount during the year to about 16,500,000 dollars, while a still larger sum, viz. 18,000,000 dollars will have been applied to the principal and interest of the public debt.

It is expected, however, that in consequence of the reduced rates of duty which will take effect after the 3rd of March next, there will be a considerable falling off in the revenue from customs in the year 1833. It will, nevertheless, be amply sufficient to provide for all the wants of the public service, estimated even upon a liberal scale, and for the redemption and purchase of the remainder of the public debt. On the 1st of January next the entire public debt of the United States, funded and unfunded, will be reduced to within a fraction of 7,000,000 dollars; of which 2,227,263 dollars are not of right redeemable until the 1st of January, 1834, and 4,735,296 dollars not until the 2nd of January, 1835. The commissioners of the sinking fund, however, being invested with full authority to purchase the debt at the market price, and the means of the treasury being ample, it may be hoped that the whole will be extinguished within the year 1833.

I cannot too cordially congratulate the congress and my fellow-citizens on the near approach of that memorable happy event, the extinction of the public debt of this great and free nation. Faithful to the wise and patriotic policy marked out by the legislation of the country for this object, the present administration has devoted to it all the means which a flourishing commerce has supplied and a prudent economy preserved for the public treasury. Within the four years for which the people have confided the executive power to my charge, 58,000,000 dollars will have been applied to the payment of the public debt. That this has been accomplished with-

out stinting the expenditures for all other proper objects, will be seen by reference to the liberal provision made during the same period for the support and increase of our means of maritime and military defence, for internal improvements of a national character, for the removal and preservation of the Indians, and lastly for the gallant veterans of the revolution.

The final removal of this great burden from our resources, affords the means of further provision for all the objects of general welfare and public defence which the constitution authorizes, and presents the occasion for such further reduction in the revenue as may not be required for them. From the report of the secretary of the treasury it will be seen, that after the present year such a reduction may be made to a considerable extent, and the subject is earnestly recommended to the consideration of Congress, in the hope that the combined wisdom of the representatives of the people will devise such means of effecting the salutary object as may remove those burdens which shall be found to fall unequally upon any, and as may promote all the great interests of the community.

Long and patient reflection has strengthened the opinions I have heretofore expressed to congress on this subject, and I deem it my duty on the present occasion again to urge them upon the attention of the legislature. The soundest maxims of public policy, and the principles upon which our republican institutions are founded, recommend a proper adaptation of the revenue to the expenditure, and they also require that the expenditure shall be limited to what, by an economical administration, shall

be consistent with the simplicity of the government, and necessary to an efficient public service. In effecting this adjustment, it is due, in justice to the interests of the other states, and even to the preservation of the union itself, that the protection afforded by existing laws to any branches of national industry should not exceed what may be necessary to counteract the regulations of foreign nations, and to secure a supply of those articles of manufacture, essential to the national independence and safety in time of war. If, upon investigation, it shall be found, as it is believed it will be, that the legislative protection granted to any particular interest is greater than is indispensably requisite for those objects, I recommend that it be gradually diminished, and that, as far as may be consistent with these objects, the whole scheme of duties be reduced to the revenue standard as soon as a just regard to the faith of the government and to the preservation of the large capital invested in establishments of domestic industry will permit.

That the manufactures adequate to the supply of our domestic consumption would, in the abstract, be beneficial to our country, there is no reason to doubt; and to effect their establishment, there is, perhaps, no American citizen who would not for a while be willing to pay a higher price for them. But for this purpose it is presumed that a tariff of high duties, designed for perpetual protection, has entered into the minds of but few of our statesmen. The most they have anticipated, is a temporary and generally incidental protection, which they maintain has the effect to reduce the price by domestic competition below that of the foreign

article. Experience, however, our best guide on this as on other subjects, makes it doubtful whether the advantages of this system are not counterbalanced by many evils, and whether it does not tend to beget, in the minds of a large portion of our countrymen, a spirit of discontent and jealousy dangerous to the stability of the union.

What, then, shall be done? Large interests have grown up under the implied pledge of our national legislation, which it would seem a violation of public faith suddenly to abandon. Nothing could justify it but the public safety, which is the supreme law; but those who have vested their capital in manufacturing establishments, cannot expect that the people will continue permanently to pay high taxes for their benefit, when the money is not required for any legitimate purpose in the administration of the government. Is it not enough that the high duties have been paid as long as the money arising from them could be applied to the common benefit in the extinguishment of the public debt?

Those who take an enlarged view of the condition of our country must be satisfied that the policy of protection must be ultimately limited to those articles of domestic manufacture which are indispensable to our safety in time of war. Within this scope, on a reasonable scale, it is recommended by every consideration of patriotism and duty, which will doubtless always secure to it a liberal and efficient support. But, beyond this object, we have already seen the operation of the system productive of discontent. In some sections of the republic its influence is deprecated as tending to concentrate wealth into a few hands, and as creating

those germs of dependence and vice which in other countries have characterized the existence of monopolies and proved so destructive of liberty and the general good. A large portion of the people in one section of the country declares it not only inexpedient on these grounds, but as disturbing the equal relations of property by legislation, and therefore unconstitutional and unjust.

Doubtless these effects are in a great degree exaggerated, and may be ascribed to a mistaken view of the considerations which led to the adoption of the tariff system; but they are nevertheless important in enabling us to review the subject with a more thorough knowledge of all its bearings upon the great interests of the republic, and with a determination to dispose of it so that none can with justice complain.

It is my painful duty to state, that in one quarter of the United States, opposition to the revenue laws has risen to a height which threatens to thwart their execution, if not to endanger the integrity of the union. Whatever obstructions may be thrown in the way of the judicial authorities of the general government, it is hoped they will be able peaceably to overcome them by the prudence of their own officers and the patriotism of the people. But should this reasonable reliance on the moderation and good sense of all portions of our fellow-citizens be disappointed, it is believed that the laws themselves are fully adequate to the suppression of such attempts as may be immediately made. Should the exigency arise rendering the execution of the existing laws impracticable from any cause whatever, prompt notice of it will be

given to congress, with the suggestion of such views and measures as may be deemed necessary to meet it.

In conformity with principles heretofore explained, and with the hope of reducing the general government to that simple machine which the constitution created, and of withdrawing from the states all other influence than that of its universal beneficence in preserving peace, affording an uniform currency, maintaining the inviolability of contracts, diffusing intelligence, and discharging unfelt, its other superintending functions, I recommend that provision be made to dispose of all stocks now held by it in corporations, whether created by the general or state governments, and placing the proceeds in the treasury. As a source of profit, these stocks are of little or no value; as a means of influence among the states, they are adverse to the purity of our institutions. The whole principle on which they are based is deemed by many unconstitutional; and to persist in the policy which they indicate is considered wholly inexpedient.

It is my duty to acquaint you with an arrangement made by the bank of the United States with a portion of the holders of the three per cent stock, by which the government will be deprived of the use of the public funds longer than was anticipated. By this arrangement, which will be particularly explained by the secretary of the treasury, a surrender of the certificates of this stock may be postponed until October 1833; and thus the liability of the government after its ability to discharge the debt may be continued by the failure of the bank to perform its duties.

Such measures as are within the reach of the secretary of the treasury have been taken to enable him to judge whether the public deposits in that institution may be regarded as entirely safe; but as his limited power may prove inadequate to this object, I recommend the subject to the attention of congress, under the firm belief that it is worthy of their serious investigation. An inquiry into the transactions of the institution, embracing the branches as well as the principal banks, seems called for by the credit which is given throughout the country to many serious charges impeaching its character, and which, if true, may justly excite the apprehension that it is no longer a safe depository of the money of the people.

Among the interests which merit the consideration of congress after the payment of the public debt, one of the most important, in my view, is that of the public lands. Previous to the formation of our present constitution, it was recommended by congress that a portion of the waste lands owned by the states should be ceded to the United States, for the purpose of general harmony, and as a fund to meet the expenses of the war. The recommendation was adopted, and at different periods of time the states of Massachusetts, New York, Virginia, North and South Carolina, and Georgia, granted their vacant lands for the uses for which they had been asked. As the lands may now be considered as relieved from this pledge, the object for which they were ceded having been accomplished, it is in the discretion of congress to dispose of them in such way as best to conduce to the quiet, harmony, and general interest of the American people. In



examining this question, all local and sectional feelings should be discarded, and the whole United States regarded as one people, interested alike in the prosperity of their common country.

It cannot be doubted that the speedy settlement of these lands constitutes the true interest of the republic. The wealth and strength of a country are its population, and the best part of that population are the cultivators of the soil. Independent farmers are every where the basis of society and true friends of liberty.

In addition to these considerations, questions have already arisen, and may be expected hereafter to grow out of the public lands, which involve the rights of the new states, and the powers of the general government; and unless a liberal policy be now adopted, there is danger that these questions may speedily assume an importance not now generally anticipated. The influence of a great sectional interest, when brought into full action, will be found more dangerous to the harmony and union of the states than any other cause of discontent; and it is the part of wisdom and sound policy to foresee its approaches, and endeavour, if possible, to counteract them.

Of the various schemes which have been hitherto proposed in regard to the disposal of the public lands, none has yet received the entire approbation of the national legislature. Deeply impressed with the importance of a speedy and satisfactory arrangement of the subject, I deem it my duty on this occasion to urge it upon your consideration, and to the propositions which have been hitherto suggested by others to contribute those reflections which occurred to me, in the hope

that they may assist you in your future deliberations.

It seems to me to be our true policy that the public lands shall cease, as soon as practicable, to be a source of revenue, and that they be sold to settlers in limited parcels at a price barely sufficient to reimburse to the United States the expense of the present system, and the cost arising under our Indian compacts. The advantages of accurate surveys and undoubted titles, now secured to purchasers, seem to forbid the abolition of the present system, because none can be substituted which will more perfectly accomplish those important ends. It is desirable, however, that in convenient time this machinery be withdrawn from the states, and that the right of soil and the future disposition of it be surrendered to the states respectively in which it lies.

The adventurous and hardy population of the west, besides contributing their equal share of taxation under our impost system, have, in the progress of our government, for the lands they occupy, paid into the treasury a large proportion of 40,000,000, dollars and of the revenue received therefrom but a small part has been expended amongst them. When, to the disadvantage of their situation in this respect, we add the consideration that it is their labour alone which gives real value to the lands, that the proceeds arising from their sale are distributed chiefly among states which had not originally any claim to them, and which have enjoyed the undivided emolument arising from the sale of their own lands, it cannot be expected that the new states will remain longer contented with the present policy, after the payment of the public debt. To avert



the consequences which may be apprehended from this cause, to put an end for ever to all partial and interested legislation on this subject, and to afford to every American citizen of enterprise the opportunity of securing an independent freehold, it seems to me, therefore, best to abandon the idea of raising a further revenue out of the public lands.

In former messages I have expressed my conviction that the constitution does not warrant the application of the funds of the general government to objects of internal improvement which are not national in their character; and both as a means of doing justice to all interests and putting an end to a course of legislation calculated to destroy the purity of the government, have urged the necessity of reducing the whole subject to some fixed and certain rule. As a period, perhaps, never will occur more propitious than the present to the accomplishment of this object, I beg leave to press the subject again upon your attention.

Without some general and well-defined principles, ascertaining those objects of internal improvement to which the means of the nation may be constitutionally applied, it is obvious that the exercise of the power can never be satisfactory. Besides the danger to which it exposes Congress of making hasty appropriations to works of the character of which they may be frequently ignorant, it promotes a mischievous and corrupting influence upon elections, by holding out to the people the fallacious hope that the success of a certain candidate will make navigable their neighbouring creek or river, bring commerce to their doors, and increase the value of

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their property. It thus favours combinations to squander the treasure of the country upon a multitude of local objects, as fatal to just legislation as to the purity of public men.

If a system compatible with the constitution cannot be devised which is free from such tendencies, we should recollect that the instrument provides within itself the mode of its amendment, and that there is, therefore, no excuse for the assumption of doubtful powers by the general government. If those which are clearly granted shall be found incompetent to the ends of its creation, it can at any time apply for their enlargement; and there is no probability that such an application, if founded on the public interest, will ever be refused. If the property of the proposed grant be not sufficiently apparent to command the assent of three-fourths of the states, the best possible reason why the power should not be assumed on doubtful authority is afforded; for if more than one-fourth of the states are unwilling to make the grant, its exercise will be productive of discontents which will far overbalance any advantages that could be derived from it. All must admit that there is nothing so worthy of the constant solicitude of this government as the harmony and union of the people.

Being solemnly impressed with the conviction that the extension of the power to make internal improvements beyond the limit I have suggested, even if it be deemed constitutional, if subversive of the best interests of our country, I earnestly recommend to Congress to refrain from its exercise in doubtful cases, except in relation to improvements already begun,

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unless they shall first procure from the states such an amendment of the constitution as will define its character and prescribe its bounds. If the states feel themselves competent to these objects why should this government wish to assume the power? If they do not, then they will not hesitate to make the grant. Both governments are the governments of the people, and if the money can be collected and applied by those more simple and economical political machines, the state governments, it will unquestionably be safer and better for the people than to add to the splendor, the patronage, and the power of the general government. But if the people of the several states think otherwise, they will amend the constitution, and in their decision all ought cheerfully to acquiesce.

For a detailed and highly satisfactory view of the operations of the War Department I refer you to the accompanying report of the Secretary at War.

The hostile incursions of the Sac and Fox Indians, necessarily led to the interposition of the government. A portion of the troops under generals Scott and Atkinson, and of the militia of the state of Illinois, were called into the field. After a harassing warfare, prolonged by the nature of the country and by the difficulty of procuring subsistence, the Indians were entirely defeated, and the disaffected bands dispersed or destroyed. The result has been creditable to the troops engaged in the service. Severe as is the lesson to the Indians, it was rendered necessary by their unprovoked aggressions; and it is to be hoped that its impression will be permanent and salutary.

This campaign has evinced the efficient organization of the army, and its capacity for prompt and active service. Its several departments have performed their functions with energy and dispatch, and the general movement was satisfactory.

Our fellow-citizens upon the frontiers were ready, as they always are, in the tender of their services in the hour of danger; but a more efficient organization of our militia system is essential to that security which is one of the principal objects of all governments. Neither our situation nor our institutions require or permit the maintenance of a large regular force. History offers too many lessons of the fatal result of such a measure not to warn us against its adoption here. The expense which attends it, the obvious tendency to employ it because it exists, and thus to engage in unnecessary wars, and its ultimate danger to public liberty, will lead us, I trust, to place our principal dependence for protection upon the great body of the citizens of the republic. If, in asserting rights, or in repelling wrongs, war should come upon us, our regular force should be increased to an extent proportioned to the emergency, and our present small army is a nucleus around which such force should be formed and embodied. But for the purposes of defence under ordinary circumstances, we must rely upon the electors of the country; those by whom, and for whom, the government was instituted and is supported, will constitute its protection in the hour of danger, as they do its check in the hour of safety.

But it is obvious that the militia system is imperfect. Much

time is lost, much unnecessary expense incurred, and much public property wasted, under the present arrangement. Little useful knowledge is gained by the musters and drills as now established, and the whole subject evidently requires a thorough examination. Whether a plan of classification remedying these defects, and providing for a system of instruction, might not be adopted is submitted to the consideration of Congress. The constitution has vested in the general government an independent authority upon the subject of the militia which renders its action essential to the establishment or improvement of the system; and I recommend the matter to your consideration, in the conviction that the state of this important arm of the public defence requires your attention.

I am happy to inform you that the wise and humane policy of transferring from the eastern to the western side of the Mississippi the remnants of our aboriginal tribes, with their own consent, and upon just terms, has been steadily pursued, and is approaching, I trust, its consummation. By reference to the report of the Secretary at War, and to the documents submitted with it, you will see the progress which has been made since your last session in the arrangement of the various matters connected with our Indian relations. With one exception, every subject involving any question of conflicting jurisdiction, or of peculiar difficulty, has been happily disposed of, and the conviction evidently gains ground among the Indians, that their removal to the country assigned by the United States for their permanent residence, fur-

nishes the only hope of their ultimate prosperity.

With that portion of the Cherokees, however, living within the State of Georgia, it has been found impracticable, as yet, to make a satisfactory adjustment. Such was my anxiety to remove all the grounds of complaint, and to bring to a termination the difficulties in which they are involved, that I directed the very liberal propositions to be made to them which accompany the documents herewith submitted. They cannot but have seen in these offers the evidence of the strongest disposition on the part of the government, to deal justly and liberally with them. An ample indemnity was offered for their possessions, a liberal provision for their future support and improvement, and full security for their private and political rights. Whatever difference of opinion may have prevailed respecting the just claims of these people there will probably be none respecting the liberality of the propositions, and very little respecting the expediency of their immediate acceptance. They were, however, rejected, and thus, the possessions of these Indians remain unchanged, as do my views communicated in my message to the senate of February, 1831.

I refer you to the annual report of the Secretary of the navy which accompanies this message, for a detail of the operation of that branch of the service during the present year.

Besides the general remarks on some of the transactions of our navy, presented in the view which has been taken of our foreign relations, I seize this occasion to invite to your notice the increased pro-

tection which it has afforded to our commerce and citizens on distant seas, without any augmentation of the force in commission. In the gradual improvement of its pecuniary concerns, in the constant progress in the collection of materials suitable for use during future emergencies, and in the construction of vessels and the buildings necessary to their preservation, and repair, the present state of this branch of the service exhibits the fruits of that vigilance and care which are so indispensable to its efficiency. Various new suggestions contained in the annexed report, as well as others heretofore submitted to Congress, are worthy of your attention ; but none more so than that urging the renewal for another term of six years of the general appropriation for the gradual improvement of the navy.

From the accompanying report of the postmaster-general, you will also perceive that his department continues to extend its usefulness without impairing its resources or lessening the accommodation which it affords in the secure and rapid transportation of the mail.

I beg leave to call the attention of Congress to the views heretofore expressed in relation to the mode of choosing the president and vice-president of the United States, and to those respecting the tenure of office generally. Still impressed with the justness of those views, and with the belief that the modifications suggested on those subjects, if adopted, will contribute to the prosperity and harmony of the country, I earnestly recommend them to your consideration at this time.

I have heretofore pointed out defects in the law for punishing official frauds, especially within the

district of Colombia. It has been found almost impossible to bring notorious culprits to punishment, and according to a decision of the court for this district, a prosecution is barred by a lapse of two years after the fraud has been committed. It may happen again, as it has already happened, that during the whole two years all the evidences of the fraud may be in the possession of the culprit himself. However proper the limitation may be in relation to private citizens, it would seem that it ought not to commence running in favour of public officers until they go out of office.

The judiciary system of the United States remains imperfect. Of the nine western and southwestern states three only enjoy the benefit of a circuit court, Ohio, Kentucky, and Tennessee are embraced in the general system ; but Indiana, Illinois, Missouri, Alabama, Mississippi, and Louisiana, have only district courts. If the existing system be a good one, why should it not be extended? If it be a bad one, why is it suffered to exist? The new states were promised equal rights and privileges when they came into the union, and such are the guarantees of the constitution. Nothing can be more obvious than the obligation of the general government to place all the states on the same footing in relation to the administration of justice, and I trust this duty will be neglected no longer.

On many of the subjects to which your attention is invited in this communication, it is a source of gratification to reflect that the steps to be now adopted are uninfluenced by the embarrassments entailed upon the country by the

wars through which it has passed. In regard to most of our great interests, we may consider ourselves as just starting in our career, and, after a salutary experience, about to fix on a permanent basis the policy best calculated to promote the happiness of the people and facilitate their progress towards the most complete enjoyment of civil liberty. On an occasion so interesting and important in our history, and of such anxious concern to the friends of freedom throughout the world, it is our imperious duty to lay aside all selfish and local considerations, and be guided by a lofty spirit of devotion to the great principles on which our institutions are founded.

That this government be so administered as to preserve its efficacy in promoting and securing these general objects should be the only aim of our ambition, and we cannot, therefore, too carefully examine its structure, in order that we may not mistake its powers, or assume those which the people have reserved to themselves or have preferred to assign to other agents. We should bear constantly in mind the fact that the considerations which induced the framers of the constitution to withhold from the general government the power to regulate the great mass of the business and concerns of the people have been fully justified by expe-

rience ; and that it cannot now be doubted that the genius of all our institutions prescribes simplicity and economy as the characteristics of the reform which is yet to be effected in the present and future execution of the functions bestowed upon us by the constitution.

Limited to a general superintending power to maintain peace at home and abroad, and to prescribe laws on a few subjects of general interest, not calculated to restrict human liberty, but to enforce human rights, this government will find its strength and its glory in the faithful discharge of these plain and simple duties. Relieved by its protecting shield from the fear of war and the apprehension of oppression, the free enterprise of our citizens, aided by the state sovereignties, will work out improvements and ameliorations which cannot fail to demonstrate that the great truth that the people can govern themselves is not only realized in our example, but that it is done by a machinery in government so simple and economical as scarcely to be felt. That the Almighty Ruler of the universe may so direct our deliberations and overrule our acts as to make us instrumental in securing a result so dear to mankind, is my most earnest and sincere prayer.

Dec. 4.           ANDREW JACKSON.

## HISTORY AND BIOGRAPHY.

## MEMOIR OF SIR WALTER SCOTT, BARONET.

**S**IR WALTER SCOTT was one of the sons of Walter Scott, esq., writer to the signet, by Anne, daughter of Dr. John Rutherford, professor of the practice of Medicine in the university of Edinburgh.

His paternal grandfather, Mr. Robert Scott, farmer at Sandyknow, in the vicinity of Smailholm Tower, Roxburghshire, was the son of Mr. Walter Scott, a younger son of Walter Scott of Raeburn, who was third son of Sir William Scott, of Harden. This latter Walter having embraced the tenets of Quakerism, the Scottish privy council, by an edict dated June 20, 1665, directed his brother, the existing representative of the Harden family, to take away his three children, and educate them separately, so that they might not become infected with the same heresy; and, for doing so, he was to be entitled to sue his brother for the maintenance of the children. By a second edict, dated July 5, 1666, the council directed two thousand pounds Scots money to be paid by the Laird of Raeburn for that purpose; and ordered him to be removed to the gaol of Jedburgh, where no one was to have access to him

but such as might be expected to convert him from his present principles.

Walter, the second son of this gentleman, and father to the novelist's grandfather, received a good education at Glasgow College, under the protection of his uncle. He was a zealous Jacobite,—a friend and correspondent of Dr. Pitcairne,—and made a vow never to shave his beard till the exiled house of Stuart should be restored; whence he acquired the name of *Beardie*.

Dr. John Rutherford, maternal grandfather to the subject of this memoir, was one of four Scottish pupils of Boerhaave, who, in the early part of the last century, contributed to establish the high character of the Edinburgh University as a school of medicine. He was the first professor of the practice of physic in the university, to which office he was elected in 1727, and which he resigned in 1766, in favour of the celebrated Dr. John Gregory. He was also the first person who delivered lectures on Clinical Medicine in the infirmary. His son, Dr. Daniel Rutherford, maternal uncle to Sir Walter, was afterwards, for a long period, professor



of botany in the Edinburgh University, and farther distinguished by his great proficiency in chemistry. The wife of Dr. John Rutherford, and maternal grandmother of Sir Walter Scott, was Jean Swinton, daughter of Swinton of Swinton, in Berwickshire, one of the oldest families in Scotland.

The novelist's father, Mr. Walter Scott, was born in 1729, and admitted as a writer to the signet in 1755. Though not possessed of shining abilities, he was a steady, expert man of business, and prospered considerably in life; and nothing could exceed the gentleness, sincerity, and benevolence of his character. His wife, Mrs. Walter Scott, was altogether a woman of the highest order of intellect and character. At an early age, she had been deemed worthy by her father to be intrusted with the charge of his house, during his temporary widowhood; and thus she possessed opportunities enjoyed by a few young ladies of her own age, and of the period when she lived, of mixing in literary society.

Sir Walter Scott was born at Edinburgh, on the 15th of August, 1771. He was the third of a family consisting of six sons and one daughter. The eldest son, John, attained to a captaincy in an infantry regiment, but was early obliged to retire from service on account of the delicate state of his health. Another elder brother, Daniel, was a sailor, but died in early life. Thomas, the next brother to Sir Walter, followed the father's profession, and was for some years factor to the marquis of Abercorn, but eventually died in Canada, in 1822, in the capacity of paymaster to the 70th regiment. At the time of Sir Walter's birth, and for some time after, his father

lived at the head of the College Wynd, a narrow alley leading from the Cowgate to the gate of the College. The two lower flats of the house were occupied by Mr. Keith, W. S., grandfather of the present Knight Marischal of Scotland, and Mr. Walter Scott lodged *au troisième*, his part of the mansion being accessible by a stair behind. In his childhood Sir Walter was removed, on account of the delicacy of his health, to the country, and lived for a considerable period under the charge of his paternal grandfather, at Sandyknow. This farm is situated upon high ground, near the bottom of Leader Water, and overlooks a large part of the vale of Tweed. In the immediate neighbourhood of the farm-house, upon a rocky foundation, stood the border fortlet called Smailholm Tower, which possessed many features to attract the attention of the young poet; and at the "evening fire" of Sandyknow, Sir Walter learned much of that border lore which he afterwards wrought up in his fictions. The first seminary which he attended was one for English and other ordinary branches of education, kept by a Mr. Leechman, in Hamilton's Entry, Bristo Street. It is almost certain that his attendance at school was rendered irregular by his delicate health. He entered Fraser's class at the High School in the third year; that is to say, when that master had carried his class through one half of the ordinary curriculum of the school. It is in 1779, that his name first appears in the school register. He must have then been eight years of age; and his elder brother attended the same class.

After two years of instruction under Mr. Fraser, Sir Walter, in

October, 1783, entered the Rectory, where he was taught by Dr. Alexander Adam, the author of many excellent elementary books, and one of the most eminent teachers that Scotland has ever produced.

At school Mr. Sir Walter was by no means remarkable for proficiency. In his exercises there was much blundering and incorrectness, and there is no just authority for saying that even at the exercise of mental arithmetic he fell far short of some of his companions; although others preserve a somewhat different recollection, and state that this was a department in which he always manifested a superiority.

The future author of *Waverley* at the High School, in 1783, ranked only eleventh in the Rector's class.

It is the tradition of the family, that Sir Walter wished at this period of his life to become a writer. The illness, however, which had beset his early years rendered this wish bootless, even although his parents had been inclined to gratify it. His malady had had the effect of contracting his right leg, so that he could hardly walk erect, even with the use of that foot upon the ground.

An attempt was made about the same time to give him instructions in music, which used to be a branch of ordinary education in Scotland. His preceptor was Mr. Alexander Campbell, then organist of an Episcopal chapel in Edinburgh, but known in later life as the editor of "*Albyn's Anthology*," and author of various other publications. Mr.

he was entirely in  
abandon his pupil  
the declaration  
deficient in that  
to a musical

education—an ear. Throughout life, Sir Walter, however capable of enjoying music, was incapable of producing two notes consecutively that were either in tune or in time.

After having been two years under the rector of the High School, he was placed in the University of Edinburgh, October, 1783. He was matriculated in that year, at once, for the Humanity or Latin class under professor Hill, and the Greek class under professor Dalzell; and for the latter, once more in 1784. But the only other class for which he seems to have matriculated at the college was that of logic, under professor Bruce in 1785. While still at the High School, he made his first attempt in original versification, the subject being a thunder-storm, which happened one day as he and his companions were amusing themselves in the yard. The poem consisted of only six lines.

"When boyhood advancing into youth," says Sir Walter, in an autobiographical sketch, "required more serious studies and graver cares, a long illness threw me back on the kingdom of fiction, as if it were by a species of fatality. My indisposition arose, in part at least, from my having broken a blood-vessel; and motion and speech were for a long time pronounced positively dangerous. For several weeks I was confined strictly to my bed, during which time I was not allowed to speak above a whisper, to eat more than a spoonful or two of boiled rice, or to have more covering than one thin counterpane. When the reader is informed that I was at this time a growing youth, with the spirits, appetite, and impatience, of fifteen, and suffered, of course,

greatly under this severe regimen, which the repeated return of my disorder rendered indispensable, he will not be surprised that I was abandoned to my own discretion, so far as reading (my almost sole amusement) was concerned, and still less so, that I abused the indulgence which left my time so much at my own disposal.

“There was at this time a circulating library at Edinburgh, founded, I believe, by the celebrated Allan Ramsay, which, besides containing a most respectable collection of books of every description, was, as might have been expected, peculiarly rich in works of fiction. It exhibited specimens of every kind, from the romances of chivalry, and the ponderous folios of *Cyrus* and *Cassandra*, down to the most approved works of later times, I was plunged into this great ocean of reading without compass or pilot; and unless when some one had the charity to play at chess with me, I was allowed to do nothing save read, from morning till night. As my taste and appetite were gratified in nothing else, I indemnified myself by becoming a glutton of books. Accordingly, I believe I read almost all the old romances, old plays, and epic poetry, in that formidable collection, and no doubt was unconsciously amassing materials for the task in which it has been my lot to be so much employed. At the same time, I did not, in all respects, abuse the license permitted me. Familiar acquaintance with the specious miracles of fiction brought with it some degree of satiety, and I began by degrees to seek in histories, memoirs, voyages and travels, and the like, events nearly as wonderful as those which were the work

of the imagination, with the additional advantage, that they were, at least, in a great measure true. The lapse of nearly two years, during which I was left to the service of my own free will, was followed by a temporary residence in the country, where I was again very lonely, but for the amusement which I derived from a good, though old-fashioned library.”

About his sixteenth year, sir Walter's health experienced a sudden but most decisive change for the better. Though his lameness remained the same, his body became tall and robust, and he was thus enabled to apply himself with the necessary degree of energy to his studies for the bar. At the same time that he attended the lectures of professor Dick on civil law in the College, he performed the duties of a writer's apprentice under his father. On the 10th of July, 1792, when on the point of completing his twenty-first year, he passed advocate with the usual forms.

The young barrister was enabled, by the affluence of his father, to begin life in an elegant house in a fashionable part of the town; but it was not his lot to acquire either wealth or distinction at the bar. He had some little employment at the provincial sittings of the criminal court, and occasionally acted in unimportant causes as a junior counsel; but he neither obtained, nor seemed qualified to obtain, a sufficient share of general business to ensure an independency. His necessities, with only himself to provide for, and a sure retreat behind him in the comfortable circumstances of his native home, were not so great as to make an exclusive application to his pro-

fession imperative; and he therefore seemed destined to join "the ranks of the gentlemen who are not anxious for business." Throughout all the earlier years of his life as a barrister, he was constantly studying either one branch of knowledge or another. Unlike the most of young men of his order, he was little tempted from study into composition. With all the diligence which Mr. Chambers could exercise, he was not able to detect any fugitive piece of Sir Walter's in any of the periodical publications of the day, nor even any attempt to get one intruded; unless the following notice in Dr. Anderson's "Bee," for May 9, 1792, refers to him:—"The editor regrets that the verses of W. S. are too defective for publication."

In the beginning of the year 1797 it was judged necessary by the gentlemen of Mid-Lothian to imitate the example already set by several counties, by embodying themselves in a cavalry corps. This association assumed the name of the Royal Mid-Lothian regiment of Cavalry; and Mr. Walter Scott was appointed its adjutant, for which office his lameness was considered no disqualification, especially as he happened to be a remarkably graceful equestrian. He became a signally zealous officer, and very popular in the regiment, on account of his extreme good humour and powers of social entertainment. His appointment partly resulted from, and partly led to, an intimacy with Henry duke of Buccleuch, who had taken a great interest in the embodying of the corps. It was also perhaps the means, to a certain extent, of making him known to Mr. Henry Dundas, who was one of his ma-

jesty's secretaries of State, and a warm promoter of the scheme of national defence in Scotland. Adjutant Scott composed a war-song, as he called it, for the Mid-Lothian Cavalry, which he afterwards published in the *Border Minstrelsy*.

Some years previously his attention had been attracted to German literature. In 1796, he published the translation of Bürger's "Lenore," with that of 'The Wild Huntsman,' in a thin quarto. "The fate of this my first publication," says he, "was by no means flattering. I distributed so many copies among my friends, as materially to interfere with the sale; and the number of translations which appeared in England about the same time, including that of Mr. Taylor, to which I had been so much indebted, and which was published in the *Monthly Magazine*, were sufficient to exclude a provincial writer from competition. \* \* \* In a word, my adventure proved a dead loss; and a great part of this edition was condemned to the service of the trunk-maker." Early in 1799, he published "Goetz of Berlichingen, a Tragedy, translated from the German [of Goethe]" London, 8vo.

"By degrees," says Sir Walter, "I acquired sufficient confidence to attempt the imitation of what I admired. The ballad called 'Glenfinlas' was, I think, the first original poem which I ventured to compose. As it is supposed to be a translation from the Gaelic, I considered myself as liberated from imitating the antiquated language and rude rhythm of the Minstrel ballad. \* \* \* After 'Glenfinlas,' I undertook another ballad, called 'The Eve of St. John.' The incidents, except the

hints alluded to in the notes, are entirely imaginary; but the scene was that of my early childhood. Some idle persons had, of late years, during the proprietor's absence, torn the iron-grated door of Smailholm Tower from its hinges, and thrown it down the rock. I was an earnest suitor to my friend and kinsman (Mr. Scott of Harden, the proprietor), that the dilapidation should be put a stop to, and the mischief repaired. This was readily promised, on condition that I should make a ballad, of which the scene should lie at Smailholm Tower, and among the crags where it is situated."

In December 1797, the poet married Miss Margaret Charlotte Carpenter, daughter of the deceased John Carpenter, esq., of the city of Lyons. Miss Carpenter and her mother were refugees from France, and were residing at the watering-place of Gilsland, in Cumberland, when Sir Walter became acquainted with them. The young lady had some fortune. After a protracted correspondence with Lord Downshire, her guardian, the match was concluded upon, and carried into effect at Carlisle. Soon after this period, Sir Walter established himself, during the vacations, in a delightful retreat at Lasswade, on the banks of the Esk, about five miles to the south of Edinburgh.

For some years before the end of the century, Sir Walter had been in the habit of making, periodically, what he called "raids" into Liddesdale, for the purpose of collecting ballad poetry of that romantic and most primitive district. Liddesdale, which forms the western extremity of the Scottish Border, is a wild, pastoral vale, which in former times was almost exclusively

occupied by the Elliots and Armstrongs, noted for their lawless character, and was still possessed by a race of store farmers, who retained a strong impress of primeval manners. Sir Walter travelled thither, from the more civilised part of Roxburghshire, in an old gig, which also contained his early friend and local guide, Mr. Robert Shortreed of Jedburgh, Sheriff-substitute of the county. Introduced by this gentleman, Sir Walter paid visits to many of the farmers and small proprietors, among whom, or among their retainers, he picked up several specimens of the popular poetry of the district, descriptive of adventures of renown which took place in the days of yore, besides impressing his mind with that perception of the character of the people, which he afterwards embodied in his *Dandie Dinmont*.

It was not alone necessary on these occasions to write down old ballads from recitation, but the intending editor also thought proper to store up the materials of notes by which the ballads themselves might be illustrated. On this account he visited many scenes alluded to in the metrical narratives, and opened his ear to all the local anecdotes and legends which were handed down by the peasantry. He had a most peculiar, and, it may even be said, mysterious, mode of committing these to memory. According to Mr. Shortreed's distinct recollection, he used neither pencil nor pen, but, seizing upon any twig or piece of wood which he could find, marked it, by means of a clasp-knife, with various notches, which his companion believed to represent particular ideas in his own mind; and these Mr. Shortreed after-

wards found strung up before him in his study at home, like the *nick-sticks* over a baker's desk, or the string alphabet of a blind man. He seemed to have invented this algebraic system of memorandum-making for his own use; and, to all appearance, was as conversant with its mysteries as he could be with the more common accomplishment of writing. When his own pockets were inconveniently stuffed with notes, he would request Mr. Shortreed to take charge of a few; and often that gentleman has discharged as much timber from his various integuments, as, to use his own phrase, quoted from Burns, "might have mended a mill."

The truth is, Sir Walter was blessed with a memory of extraordinary power, so that a very slight notation sufficed to bring to his recollection any thing he had ever heard. Of this, proof may be adduced from the *Memoirs of Mr. James Hogg*.

"He, and Skene of Rubislaw, and I, were out one night, about midnight, leistering kippers in the Tweed; and on going to kindle a light at the Elibank March, we found, to our inexpressible grief, that our coal had gone out. To think of giving up the sport was out of the question; so we had no other shift save to send Robert Fletcher home, all the way through the darkness, the distance of two miles, for another fiery peat.

"While Fletcher was absent, we three sat down on a piece of beautiful greensward, on the brink of the river, and Scott desired me to sing him my ballad of Gilmanscleuch. Now, be it remembered, that this ballad had never been either printed or penned. I had merely composed it by rote, and, on finishing it, three years

before, I had sung it once over to Sir Walter. I began it at his request; but in the eighth or ninth verse, I stuck in it, and could not get on with another line; on which he began it a second time, and recited it every word, from beginning to end. It being a very long ballad, consisting of eighty-eight stanzas, I testified my astonishment. He said that he had been out on a pleasure party on the Forth, and that, to amuse the company, he had recited that ballad and one of Southey's ("The Abbot of Aberbrothock"); both of which ballads he had only heard once from their respective authors, and he believed he had recited them both without missing a word."

His collections of Liddesdale, joined to various contributions from reciters in other parts of the country, formed his first publication of any note, "*The Minstrelsy of the Scottish Border*." This work issued, in 1802, from the printing press of his early friend Mr. James Ballantyne of Kelso; and the elegance of its typography was not its least remarkable feature. It displayed a vast quantity of curious and abstruse learning; and, in particular, a most intimate acquaintance with a district of Scotland which had hitherto received hardly any attention either from the historian or from the antiquary. At first it consisted of only two volumes; but a third was added on the reprinting of the work next year; by which means the editor was enabled to present a new department of his subject—imitations, by himself and others, of the ancient ballad. The work was, upon the whole, a pleasing mélange of history, poetry, and tradition; and it gained the author



a considerable reputation, although certainly not that of an original poet in any great degree.

Previous to this period—in December, 1799—he had been favoured, through the interest of his friends, with the Crown appointment of Sheriff of Selkirkshire, to which was attached a salary of 300*l.* a-year. This office, while it imposed no oppressive duties, rendered it necessary that he should reside a certain part of the year in Selkirkshire; and he therefore engaged the house of Ashesteil, on the banks of the Tweed, which continued to be his country residence till he removed to Abbotsford.

In 1804, Mr. Scott increased his reputation as a literary antiquary, by publishing the ancient minstrel tale of “*Sir Tristram*,” which he showed, in a learned disquisition, to have been composed by Thomas of Ercildoune, commonly called Thomas the Rhymer,—a personage well known in Scottish tradition, and who flourished in the thirteenth century. By this publication, it was established that the earliest existing poem in the English language was written by a native of the Lowlands of Scotland. The manuscript was derived from the Auchinleck Library.

“The reader,” says Sir Walter, “will not wonder that my open interference with matters of light literature diminished my employment in the weightier matters of the law. Nor did the solicitors, upon whose choice the counsel takes rank in his profession, do me less than justice by regarding others among my contemporaries as fitter to discharge the duty due to their clients, than a young man who was taken up with running

after ballads, whether Teutonic or national. My profession and I, therefore, came to stand nearly upon the footing on which honest Slender consoled himself with having established with Mrs. Anne Page—‘There was no great love between us at the beginning, and it pleased Heaven to decrease it on farther acquaintance!’ I became sensible that the time was come when I must either buckle myself resolutely to ‘the toil by day, the lamp by night,’ renouncing all the Dalilahs of my imagination, or bid adieu to the profession of the law, and hold another course.

“I confess my own inclination revolted from the more severe choice, which might have been deemed by many the wiser alternative. As my transgressions had been numerous, my repentance must have been signalised by unusual sacrifices. I ought to have mentioned that, since my fourteenth or fifteenth year, my health, originally delicate, had been extremely robust. From infancy I had laboured under the infirmity of a severe lameness; but, as I believe is usually the case with men of spirit who suffer under personal inconveniences of this nature, I had, since the improvement of my health, in defiance of this incapacitating circumstance, distinguished myself by the endurance of toil on foot or horseback; having often walked thirty miles a day, and rode upwards of a hundred without stopping. In this manner I made many pleasant journeys through parts of the country then not very accessible, gaining more amusement and instruction than I have been able to acquire since I have travelled in a more commodious manner. I prac-

tised most sylvan sports, also, with some success and with great delight. But these pleasures must have been all resigned, or used with great moderation, had I determined to regain my station at the Bar. It was even doubtful whether I could, with perfect character as a jurisconsult, retain a situation in a volunteer corps of cavalry which I then held. The threats of invasion were at this time instant and menacing; the call by Britain on her children was universal, and was answered by many who, like myself, consulted rather their will than their ability to bear arms. My services, however, were found useful in assisting to maintain the discipline of the corps, being the point on which their constitution rendered them most amenable to military criticism. In other respects, the squadron was a fine one, consisting of handsome men, well mounted and armed at their own expense. My attention to the corps took up a good deal of time; and while it occupied many of the happiest hours of my life, it furnished an additional reason for my reluctance again to encounter the severe course of study indispensable to success in the juridical profession.

“On the other hand, my father, whose feelings might have been hurt by my quitting the Bar, had been for two or three years dead, so that I had no control to thwart my own inclination; and my income being equal to all the comforts, and some of the elegances of life, I was not pressed to an irksome employment by necessity, that most powerful of motives; consequently I was the more easily seduced to choose the employment which was most agreeable. This was yet the easier, that, in 1800,

I had obtained the preferment of Sheriff of Selkirkshire, about 800*l.* a year in value; and which was the more agreeable to me, as in that country I had several friends and relations. But I did not abandon the profession to which I was educated without certain prudential resolutions, which, at the risk of egotism, I will here mention,—not without the hope that they may be useful to young persons who may stand in circumstances similar to those in which I then stood.

“In the first place, upon considering the lives and fortunes of persons who had given themselves up to literature, or to the task of pleasing the public, it seemed to me that the circumstances which chiefly affected their happiness and character, were those from which Horace has bestowed upon authors the epithet of the Irritable Race. It requires no depth of philosophic reflection to perceive that the petty warfare of Pope with the dunces of his period could not have been carried on without his suffering the most acute torture, such as a man must endure from musquitoes, by whose stings he suffers agony, although he can crush them in his grasp by myriads. Nor is it necessary to call to memory the many humiliating instances in which men of the greatest genius have, to avenge some pitiful quarrel, made themselves ridiculous during their lives, to become the still more degraded objects of pity to future times.

“Upon the whole, as I had no pretension to the genius of the distinguished persons who had fallen into such errors, I concluded there could be no occasion for imitating them in such mistakes, or what I considered as such: and, in adopt-

ing literary pursuits as the principal occupation of my future life, I resolved, if possible, to avoid those weaknesses of temper which seemed to have most easily beset my more celebrated predecessors.

“With this view, it was my first resolution to keep as far as was in my power abreast of society, continuing to maintain my place in general company, without yielding to the very natural temptation of narrowing myself to what is called literary society. By doing so, I imagined I should escape the besetting sin of listening to language, which, from one motive or other, ascribes a very undue degree of consequence to literary pursuits, as if they were indeed the business rather than the amusement of life. The opposite course can only be compared to the injudicious conduct of one who pampers himself with cordial and luscious draughts until he is unable to endure wholesome bitters. Like *Gil Blas*, therefore, I resolved to stick by the society of my *commis*, instead of seeking that of a more literary caste, and to maintain my general interest in what was going on around me, reserving the man of letters for the desk and the library.

“My second resolution was a corollary from my first. I determined that, without shutting my ears to the voice of true criticism, I would pay no regard to that which assumes the form of satire. I therefore resolved to arm myself with the triple brass of Horace against all the roving warfare of satire, parody, and sarcasm; to laugh, if the jest was a good one; or, if otherwise, to let it hum and buzz itself to sleep.

“It is to the observance of these rules, (according to my best belief) that, after a life of thirty

years engaged in literary labours of various kinds, I attribute my never having been entangled in any literary quarrel or controversy; and, which is a more pleasing result, that I have been distinguished by the personal friendship of my most approved contemporaries of all parties.

“I adopted at the same time another resolution, on which it may doubtless be remarked, that it was well for me that I had it in my power to do so, and that, therefore, it is a line of conduct which can be less generally applicable in other cases. Yet I fail not to record this part of my plan, convinced that, though it may not be in every one’s power to adopt exactly the same resolution, he may, nevertheless, by his own exertions, in some shape or other, attain the object on which it was founded, namely, to secure the means of subsistence, without relying exclusively on literary talents. In this respect I determined that literature should be my staff, but not my crutch; and that the profits of my labour, however convenient otherwise, should not become necessary to my ordinary expenses. With this purpose, I resolved; if the interest of my friends could so far favour me, to retire upon any of the respectable offices of the law, in which persons of that profession are glad to take refuge, when they feel themselves, or are judged by others, incompetent to aspire to its higher offices and honours. Upon such an office an author might hope to retreat, without very susceptible alteration of circumstances, whenever the time should arrive that the public grew weary of his endeavours to please, or he himself should tire of the occupation of authorship. At this period of my life I possessed

so many friends capable of assisting me in this object of ambition, that I could hardly overrate my own prospects of obtaining the moderate preferment to which I limited my wishes; and in fact, I obtained in no long period the reversion of a situation which completely met them.

“Thus far all was well; and the author had been guilty, perhaps, of no great imprudence, when he relinquished his forensic practice, with the hope of making some figure in the field of literature. But an established character with the public in my new capacity, still remained to be acquired.”

The author then details his resolution to write a poem of considerable length in the ballad style, varied by the octo-syllabic measure; and the following is his account of the accident which dictated a subject:—

“The lovely young Countess of Dalkeith, afterwards Harriet Duchess of Buccleugh, had come to the land of her husband, with the desire of making herself acquainted with its traditions and customs. All who remember this lady will agree, that the intellectual character of her extreme beauty, the amenity and courtesy of her manners, the soundness of her understanding, and her unbounded benevolence, gave more the idea of an angelic visitant than of a being belonging to this nether world; and such a thought was but too consistent with the short space she was permitted to tarry amongst us. Of course, where all made it a pride and pleasure to gratify her wishes, she soon heard enough of Border lore; among others, an aged gentleman of property, near Langhorn, communicated to her ladyship the story of Gilpin Horner,—a tradition in

which the narrator and many more of that county were firm believers. The young countess, much delighted with the legend, and the gravity and full confidence with which it was told, enjoined it on me as a task to compose a ballad on the subject. Of course, to hear was to obey; and thus the goblin story, objected to by several critics as an excrescence upon the poem, was, in fact, the occasion of its being written.

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“It was, to the best of my recollection, more than a year after Mr. Stoddart’s visit (1799) that, by way of experiment, I composed the first two or three stanzas of ‘The Lay of the Last Minstrel.’ I was shortly afterwards visited by two intimate friends, one of whom still survives. They were men whose talents might have raised them to the highest station in literature, had they not preferred exerting them in their own profession of the law, in which they attained equal preferment. I was in the habit of consulting them on my attempts at composition; having equal confidence in their sound taste and friendly sincerity. In this specimen I had, in the phrase of the Highland servant, packed all that was my own, at least, for I had also included a line of invocation, a little softened, from Coleridge,—

‘Mary, mother, shield us well.’

As neither of my friends said much to me on the subject of the stanzas I showed them before their departure, I had no doubt that their disgust had been greater than their good nature chose to express. Looking upon them, therefore, as a failure, I threw the manuscript into the fire, and thought as little more as I could of the matter. Some time afterwards, I met one

of my two counsellors, who inquired, with considerable appearance of interest about the progress of the romance I had commenced, and was greatly surprised at learning its fate. He confessed that neither he, nor our mutual friend, had been at first able to give a precise opinion on a poem so much out of the common road; but that as they walked home together to the city, they had talked much on the subject, and the result was an earnest desire that I would proceed with the composition.

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"The poem, being once licensed *by the critics as fit for the market*, was soon finished, proceeding at about the rate of a canto per week." There was, indeed, little occasion for pause or hesitation, when a troublesome rhyme might be accommodated by an alteration of the stanza, or where an incorrect measure might be remedied by a variation of the rhyme. It was finally published in 1805. The work produced to the author the sum of 600*l*.

Shortly afterwards he obtained the reversion of the honourable and easy office of a principal clerk in the court of Session. One of the officiating clerks, Mr. George Home, who had served upwards of thirty years, found it about this time agreeable to his advanced age to retire, more especially as he had just succeeded to his paternal estate of Wederburn, in consequence of the death of his brother. As hopes had been held out to Sir Walter from an influential quarter, that he would be provided for in a manner suitable to his wishes, and as Mr. Pitt had himself expressed a wish to be of

service to the author of "The Lay of the Last Minstrel," he was induced to apply for the reversion of this office, upon an arrangement that Mr. Home should continue during life to draw the emoluments, while sir Walter should perform the duty. His desires were readily acceded to; the commission lay in the office, subscribed by his majesty, and sir Walter was in London with Mr. Home's resignation in his pocket, and nothing required for the completion of the affair but his paying the proper fees, when Mr. Pitt's death, on the 25th of January, 1806, made way for the appointment of a new ministry. Mr. Fox, who had previously expressed his admiration of Mr. Scott's talents, no sooner learned the difficulty which had occurred respecting his appointment, than he expressed his wish that it should be conferred as a favour coming directly from his administration. The expectant, however, had previously applied, through lord Stafford and lord Somerville, to earl Spencer, for the indulgence usual on a change of ministry, of passing such grants as are already in a certain state of progress. His lordship at once acceded to the request as a matter of justice, but with the handsome declaration that he would have been glad if it could have been done as one of favour. The warrant was in Mr. Scott's possession, when the words of Mr. Fox were repeated to him. Sir Walter continued for five or six years to perform the duties of his office without salary, when at length an alteration of the law respecting the mode of providing for superannuated officers led his colleague to retire u

annuity, and he was left to enjoy the profits, as he also executed the labours, of the situation. These profits were never stationary, but seldom much below 1,200*l.* a-year, which, with the 300*l.* which he enjoyed as sheriff, made up a very respectable income, without regard to the result of his literary labours.

During the year 1806, sir Walter collected his original compositions in the ballad style into a small volume, which he published under the title of "Ballads and Lyrical Pieces." The volume contained several compositions which he had contributed to Mr. M. G. Lewis's "Tales of Wonder," published in 1801. In the same year, encouraged by the rising fame of his productions, the booksellers issued an elegant fine paper edition of his "Poetical Works," in five volumes.

In 1808, sir Walter published his second poem of magnitude—"Marmion," with which we are informed by himself, he took great pains, and was disposed to take still more, if the distresses of a friend had not "rendered it convenient at least, if not necessary, to hasten its publication. The publishers of the "Lay of the Last Minstrel," emboldened by the success of that poem, willingly offered a thousand pounds for "Marmion."

It brought an immense increase of reputation to the author. Its more stately chivalric pictures, its stronger alliance to national history, and the broader scale on which it painted feudal manners, produced greater admiration than what had been excited by "The Lay." "By good fortune," says sir Walter, "the novelty of the

subject, and, if I may say so, some force and vivacity of description, were allowed to atone for many imperfections. Thus, the second experiment on the public patience, generally the most perilous—for the public are then most apt to judge with rigour, what in the first instance, they had received, perhaps, with imprudent generosity—was, in my case, decidedly successful. I had the good fortune to pass this ordeal favourably; and the return of the sales before me\* makes the copies amount to thirty-six thousand, printed between 1808 and 1825, besides a considerable sale since that period."

Within a few weeks after 'Marmion' appeared "The Works of John Dryden, now first collected; in eighteen volumes. Illustrated with notes, historical, critical, and explanatory, and a Life of the Author. By Walter Scott, esq." This publication manifested, in a striking manner, the great erudition of the poet of "Marmion." In composing the Life of Dryden, he frankly confessed, that the research of Malone, and the critical acumen of Johnson, had left him little to do in these different departments. "But something," he conceived, "remained for him who should consider these literary productions in their succession, as actuated by, and operating upon, the taste of an age, where they had so predominating an influence, and who might, at the same time, connect the life of Dryden with the history of his publications." Accordingly, the most original and interesting part of his work con-

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\* Writing in April, 1830.



sists in the view which it exhibits of the general literary character of Dryden's age, and of the one immediately preceding. This book met eventually with so much success, as to demand a reprint at the end of a few years.

In the same year he edited captain George Carleton's *Memoirs*, and Strutt's "*Queen Hoo Hall, a Romance* ; and *Ancient Times, a Drama*."

In 1809, sir Walter assisted the late Mr. Clifford in editing "*The State Papers and Letters of sir Ralph Sadler*," which appeared in two expensive volumes, in quarto ; and in the same year, he contributed similar assistance to a new edition of Lord Somers's invaluable collection of tracts, which appeared in twelve volumes quarto, and also to the "*Memoirs of Sir Robert Cary*."

These literary efforts showed that he was not disposed to confine himself to poetry, but had also the inclination to prepare more ordinary and familiar matter for the public taste. This arose, in some measure, from his connection with Mr. John Ballantyne, a youthful friend and companion, who had now entered into business at Edinburgh as a bookseller and publisher on a large scale. It was, perhaps, as much owing to the adventurous disposition of Mr. Ballantyne as to the taste of the poet, that the latter had become concerned in the prose publications above mentioned. At the request of the same individual, Mr. Scott became a contributor to an *Annual Register*, of which Mr. Southey was at first the editor. The first volume, referring to the year 1808, appeared early in 1810, in two parts. The work, after a few years, was dropped for want of support.

It is necessary to have recourse to the poet's own narrative\*, for an account of the circumstances which directed his choice in his next poetical attempt:—"The ancient manners, the habits and customs of the aboriginal race by whom the Highlands of Scotland were inhabited, had always appeared to me peculiarly adapted to poetry. The change in their manners, too, had taken place almost within my own time, or at least I had learned many particulars concerning the ancient state of the Highlands from the old men of the last generation. I had always thought the old Scottish Gael highly adapted for poetical composition. The feuds and political dissensions, which, half a century earlier, would have rendered the richer and wealthier part of the kingdom indisposed to countenance a poem, the scene of which was laid in the Highlands, were now sunk in the generous compassion which the English, more than any other nation, feel for the misfortunes of an honourable foe. The poems of Ossian had, by their popularity, sufficiently shown, that if writings on Highland subjects were qualified to interest the reader, mere national prejudices were, in the present day, very unlikely to interfere with their success.

"I had also read a great deal, and heard more, concerning that romantic country, where I was in the habit of spending some time every autumn ; and the scenery of Loch Katrine was connected with the recollection of many a dear friend and merry expedition of former days. This poem, the

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\* Introduction to late edition of "*The Lady of the Lake*."

action of which lay among scenes so beautiful, and so deeply imprinted on my recollections, was a labour of love; and it was no less so to recall the manners and incidents introduced. The frequent custom of James IV., and particularly of James V., to walk through their kingdom in disguise, afforded me the hint of an incident, which never fails to be interesting, if managed with the slightest address or dexterity.

“I may now confess, however, that the employment, though attended with great pleasure, was not without its doubts and anxieties. A lady, to whom I was nearly related, and with whom I lived, during her whole life, on the most brotherly terms of affection, was residing with me at the time when the work was in progress, and used to ask me, what I could possibly do to rise so early in the morning (that happening to be the most convenient time to me for composition)? At last I told her the subject of my meditations; and I can never forget the anxiety and affection expressed in her reply. ‘Do not be so rash,’ she said, ‘my dearest cousin. You are already popular—more so, perhaps, than you yourself will believe, or than even I, or other partial friends, can fairly allow to your merit. You stand high: do not rashly attempt to climb higher, and incur the risk of a fall; for, depend upon it, a favourite will not be permitted even to stumble with impunity.’ I replied to this affectionate expostulation in the words of Montrose,—

‘He either fears his fate too much,  
Or his deserts are small,  
Who dares not put it to the touch,  
To gain or lose it all.’

“‘If I fail,’ I said,—for the dialogue is strong in my recollection,—‘it is a sign that I ought never to have succeeded, and I will write prose for life: you shall see no change in my temper, nor will I eat a single meal the worse. But if I succeed,

‘Up with the bonnie blue bonnet,  
The dirk, and the feather, and a’!’

“Afterwards I showed my affectionate and anxious critic the first canto of the poem, which reconciled her to my imprudence. Nevertheless, although I answered thus confidently, with the obstinacy often said to be proper to those who bear my surname, I acknowledge that my confidence was considerably shaken by the warning of her excellent taste and unbiassed friendship. Nor was I much comforted by her retractation of the unfavourable judgment, when I recollected how likely a natural partiality was to effect that change of opinion. In such cases, affection rises like a light on the canvass, improves any favourable tints which it formerly exhibited, and throws its defects into the shade.

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“I took uncommon pains to verify the accuracy of the local circumstances of this story. I recollect, in particular, that, to ascertain whether I was telling a probable tale, I went into Perthshire to see whether King James could actually have ridden from the banks of Loch Vennachar to Stirling Castle within the time supposed in the poem, and had the pleasure to satisfy myself that it was quite practicable.

“After a considerable delay, ‘The Lady of the Lake’ appeared in June, 1810; and its success was certainly so extraordinary, as to induce me for the moment to

conclude that I had at last fixed a nail in the proverbially inconstant wheel of fortune, whose stability in behalf of an individual, who had so boldly courted her favours for three successive times, had not as yet been shaken."

In 1811, appeared "The Vision of Don Roderick," which proved him to be as completely master of the Spenscraian stanza as he was of the octosyllabic metre; and in 1813 he published "Rokeby," in which he attempted to invest English scenery, and a tale of the Civil War, with the charm which he had already thrown over the Scottish Highlands and Borders, and their romantic inhabitants. "Rokeby" met with a comparatively unfavourable reception.

In 1814, he published "The Lord of the Isles." Even the name of Bruce, however, could not compensate the want of what had been the most captivating charm of his earlier productions—the developement of new powers and styles of poesy. However, "the sale of fifteen thousand copies," says Scott, "enabled the author to retreat from the field with the honours of war."

"The Bridal of Triermain," and "Harold the Dauntless," were published anonymously; they made a very slight impression upon the public.

It now became evident to Sir Walter, that his day as a poet was well nigh past. He saw that he must "change his hand," if he wished his lyre any longer to awaken sympathetic chords in the bosom of the public. About the close of the last century, he had commenced a tale of chivalry in prose, founded upon the legendary story of Thomas the Rhymer;

but it never went beyond the first chapter. Subsequently, he resolved upon a prose romance relating to an age much nearer our own time. "My early recollections of the Highland scenery and customs made so favourable an impression in the poem called 'The Lady of the Lake,' that I was induced to think of attempting something of the same kind in prose. I had been a good deal in the Highlands at a time when they were much less accessible, and much less visited, than they have been of late years, and was acquainted with many of the old warriors of 1745, who were, like most veterans, easily induced to fight their battles over again, for the benefit of a willing listener like myself. It naturally occurred to me that the ancient traditions and high spirit of a people, who, living in a civilised age and country, retained so strong a tincture of manners belonging to an early period of society, must afford a subject favourable for romance, if it should not prove a curious tale marred in the telling.

"It was with some idea of this kind, that, about the year 1805, I threw together about one third part of the first volume of 'Waverley.' It was advertised to be published by the late Mr. John Ballantyne, bookseller in Edinburgh, under the name of 'Waverley; or, 'Tis Fifty Years since,'—a title afterwards altered to, "'Tis Sixty Years since,' the actual date of the period in which the story is laid. Having thought, as the name of the work implied, that it might be made to correspond to the period in which it was written, I laid it aside. Having, however, since then, thought, as the name of the work implied, that it might be made to correspond to the period in which it was written, I laid it aside."

reputation, I was unwilling to risk the loss of it by attempting a new style of composition. I therefore threw aside the work I had commenced, without either reluctance or remonstrance. \* \* \*

This portion of the manuscript was laid aside in the drawers of an old writing desk, which, on my first coming to reside at Abbotsford, in 1811, was placed in a lumber garret, and entirely forgotten. Thus, though I sometimes, among other literary avocations, turned my thoughts to the continuation of the romance which I had commenced, yet, as I could not find what I had already written, after searching such repositories as were within my reach, and was too indolent to attempt to write it anew from memory, I as often laid aside all thoughts of that nature."

The author then adverts to two circumstances which particularly fixed in his mind the wish to continue this work to a close—namely, the success of Miss Edgeworth's delineations of Irish life, and his happening to be employed, in 1808, in finishing the romance of "Queen Hoo-Hall," left imperfect by Mr. Strutt. "Accident," he continues, "at length threw the lost sheets in my way. I happened to want some fishing tackle for the use of a guest, when it occurred to me to search the old writing-desk already mentioned, in which I used to keep articles of that nature. I got access to it with some difficulty; and in looking for lines and flies, the long-lost manuscript presented itself. I immediately set to work to complete it, according to my original purpose." Among other unfounded reports, it has been said, that the copyright

was, during the book's progress through the press, offered for sale to various booksellers in London, at a very inconsiderable price. This was not the case. Messrs. Constable and Cadell, who published the work, were the only persons acquainted with the contents of the publication, and they offered a large sum for it, while in the course of printing; which, however, was declined, the author not choosing to part with the copyright.

"*'Waverley'* was published in 1814, and as the title-page was without the name of the Author, the work was left to win its way in the world without any of the usual recommendations. Its progress was for some time slow; but, after the first two or three months, its popularity increased in a degree which must have satisfied the expectations of the author, had these been far more sanguine than he ever entertained.

"Great anxiety was expressed to learn the name of the author, but on this no authentic information could be attained. My original motive for publishing the work anonymously, was the consciousness that it was an experiment on the public taste, which might very probably fail, and therefore there was no occasion to take on myself the personal risk of discomfiture. For this purpose, considerable precautions were used to preserve secrecy. My old friend and schoolfellow, Mr. James Ballantyne, who printed these novels, had the exclusive task of corresponding with the author, who thus had not only the advantage of his professional talents, but of his critical abilities. The original manuscript, or, as it is technically called, copy, was transcribed,

under Mr. Ballantyne's eye, by confidential persons; nor was there an instance of treachery during the many years in which these precautions were resorted to, although various individuals were employed at different times. Double proof sheets were regularly printed off. One was forwarded to the author by Mr. Ballantyne, and the alterations which it received were, by his own hand, copied upon the other proof-sheet for the use of the printers, so that even the corrected proofs of the author were never seen in the printing-office; and thus the curiosity of such eager inquirers as made the most minute investigation was entirely at fault."

"In the mean time," says the poet, "years crept on, and not without their usual depredations on the passing generation. My sons had arrived at the age when the paternal home was no longer their best abode, as both were destined to active life. The field sports, to which I was peculiarly attached, had now less interest, and were replaced by other amusements of a more quiet character; and the means and opportunity of pursuing these were to be sought for. I had, indeed, for some years, attended to farming,—a knowledge of which is, or at least was then, indispensable to the comforts of a family residing in a solitary country house; but although this was the favourite amusement of many of my friends, I have never been able to consider it as a source of pleasure. I never could think it a matter of passing importance, that my cattle, or my crops, were better or more plentiful than those of my neighbours; and nevertheless I began to feel the necessity of some more quiet out-door occupa-

tion than I had hitherto pursued. I purchased a small farm of about 100 acres, with the purpose of planting and improving it, to which property circumstances afterwards enabled me to make considerable additions; and thus an era took place in my life, almost equal to the important one mentioned by the Vicar of Wakefield, when he removed from the blue room to the brown. In point of neighbourhood, at least, the change of residence made little more difference. Abbotsford, to which we removed, was only six or seven miles down the Tweed, and lay on the same beautiful stream. It did not possess the romantic character of Ashiesteil, my former residence; but it had a stretch of meadow land along the river, and possessed, in the phrase of the landscape gardener, considerable capabilities. Above all, the land was my own, like Uncle Toby's bowling-green, to do what I would with. It had been, though the gratification was long postponed, an early wish of mine, to connect myself with my mother-earth, and prosecute those experiments by which a species of creative power is exercised over the face of nature. I can trace, even to childhood, a pleasure derived from Dodsley's account of Shenstone's Leasowes; and envied the poet, much more for the pleasure of accomplishing the objects detailed in his friend's sketch of his grounds, than for the possession of pipe, crook, flock, and Phillis to the boot of all. My memory, also, tenacious of quaint expressions, still retained a phrase which it had gathered from an old Almanack of Charles the Second's time (when every thing down to Almanacks affected to be smart), in which the reader, in the month

of June, is advised, for the sake of his health, to take a walk of a mile or two before breakfast, and, if he can possibly so manage, to let his exercise be taken upon his own land.

“With the satisfaction of having attained the fulfilment of an early and long-cherished hope, I commenced my improvements as delightful in their progress as those of the child who first makes a dress for a new doll. The nakedness of the land was in time hidden by woodlands of considerable extent—the smallest possible of cottages was progressively expanded into a sort of dream of a mansion-house, whimsical in the exterior, but convenient within. Nor did I forget what was the natural pleasure of every man who has been a reader, I mean the filling the shelves of a tolerably large library. All these objects I kept in view, to be executed as convenience should serve; and although I knew many years would elapse before they could be attained, I was of a disposition to comfort myself with the Spanish proverb, ‘Time and I against any two.’

“The difficult and indispensable point, of finding a permanent subject of occupation, was now at length attained; but there was annexed to it the necessity of becoming again a candidate for public favour; for as I was turned improver on the earth of the every-day world, it was under condition that the small tenement of Parnassus, which might be accessible to my labours, should not remain uncultivated.”

The nucleus of his property was a small farm, called by the plain name of Cartley-Hole, which he purchased from the late Dr. Douglas, minister of the neigh-

bouring parish of Galashiels, and upon which he conferred the more elegant title of Abbotsford, adopted with reference to a ford in the Tweed, just opposite the spot, coupled with the adjacent Abbey of Melrose. The situation was generally considered unfortunate, as it lay on a northern slope towards the river, and was bounded close at hand by a public road. The soil was not of a good quality.

It was chiefly, nevertheless, to his desire of forming an estate on this spot, which he might hand down to his descendants, that the world is indebted for a series of the most delightful fictions that ever appeared. To “Waverley” succeeded, in 1815, “Guy Mannering;” in 1816, “The Antiquary,” and the first series of “The Tales of my Landlord,” containing the “Black Dwarf” and “Old Mortality;” in 1818, “Rob Roy” and the second series of “The Tales of my Landlord,” containing “The Heart of Mid Lothian;” and, in 1819, the third series of “Tales of my Landlord,” containing “The Bride of Lammermoor” and “A Legend of Montrose.”

Sir Walter, having early been instructed in the disposition of the public to tire of the repeated appearances of even a favourite author, had, in the “Tales of my Landlord,” assumed a new incognito, which, however, was easily seen through. It was impossible, without utterly abandoning the gifts he possessed, to assume a style sufficiently discrepant to impose upon the public. The same great magician was seen to be at work in both series, and the artifice had therefore only the effect of giving a slight fillip to public curiosity.

Having now drawn upon public curiosity to the extent of twelve



volumes in each of his two incognitos, he seems to have thought it necessary to adopt a third ; and accordingly he intended "Ivanhoe," which appeared in the beginning of 1820, to come forth as the first work of a new candidate for public favour, namely, Lawrence Templeton. From this design he was diverted by a circumstance of trivial importance, the publication of a novel in London, pretending to be a fourth series of the "Tales of my Landlord." It was therefore judged necessary that "Ivanhoe" should appear as a veritable production of the author of "Waverley." To it succeeded, in the course of the same year, "The Monastery" and "The Abbot." In the beginning of the year 1821, appeared "Kenilworth," making twelve volumes, if not written, at least published, in as many months. In 1822 he produced "The Pirate" and the "Fortunes of Nigel ;" in 1823, "Peveril of the Peak"\* and "Quentin Durward ;" in 1824, "St. Ronan's Well" and "Redgauntlet ;" in 1825, "Tales of the Crusaders† ;" in 1826, "Woodstock ;" in 1827, "Chronicles of the Canongate, *first series*‡ ;" in 1828, "Chronicles of the Canongate, *second series* ;" in 1829, "Anne of Geierstein ;" and in 1831, a fourth series of "Tales of my Landlord," in four volumes, containing two tales, respectively entitled "Count Robert of Paris" and "Castle Dangerous." These novels, with those formerly enumerated, make seventy-four volumes.

Throughout the whole of his career, both as a poet and as a

novelist, Sir Walter was in the habit of turning aside, occasionally, to less important avocations of a literary character. He was a contributor to the Edinburgh Review during the first few years of its existence, though for the last twenty years, perhaps, he had not so much as opened the work. To the "Quarterly Review" he was a considerable contributor, especially for the last five or six years of his life, during which that periodical was conducted by his son-in-law, Mr. Lockhart. In 1810, he edited the poetical works and correspondence of Miss Seward. To the Supplement of the sixth edition of the Encyclopædia Britannica he contributed the articles "Chivalry," "Romance," and the "Drama." In 1818, he wrote one or two small prose articles for a periodical, after the manner of the "Spectator," which was started by his friend Mr. John Ballantyne, under the title of "The Sale-Room," and was soon after dropped for want of encouragement. In 1814, he edited "The Works of Swift," in nineteen volumes, with a life of the author ; which required a reprint some years afterwards. In 1814, Sir Walter gave his name and an elaborate introductory essay to a work entitled, "Border Antiquities" (two volumes 4to.), which consisted of engravings of the principal antique objects on both sides of the border, accompanied by descriptive letter press. In 1815 he made a tour through France and Belgium, visiting the scene of the recent victory over Napoleon. The result was a lively volume, under the title of "Paul's Letters to his Kinsfolk," and a poem styled "The Field of Waterloo." In the same year he joined with Mr. Robert Jameson and Mr. Henry Weber,

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\* Four volumes.

† Four volumes.

‡ Two volumes.

in composing a quarto on Icelandic Antiquities. In 1819, he published "An Account of the Regalia of Scotland," and undertook to furnish the letter-press to a second collection of engravings, under the title of "Provincial Antiquities and Picturesque Scenery of Scotland." In 1822, he edited Gwynne's "Memoirs of the Great Civil War, 1653-4;" in 1827, he wrote the preface to the "Memoirs of La Roche Jacqueline," for "Constable's Miscellany;" in the same year were published, his "Miscellaneous Prose Works," comprising a re-publication of his lives of Dryden, Swift, the novelists, Sir R. Sadler, Miss Seward, Dr. Leyden, Duke of Buccleuch, King George 3rd, Lord Byron, Duke of York, Essays on Chivalry, Romance and the Drama, and Paul's Letter to his Kinsfolk; in 1828 were published two Religious Discourses, which he had written some years before for a friend.

In the year 1820, the agitated state of the country was much regretted by Sir Walter Scott; and he endeavoured to prove the absurdity of the popular excitement in favour of a more extended kind of parliamentary representation, by three papers which he inserted in the Edinburgh Weekly Journal newspaper, under the title of "The Visionary." In 1822, Sir Walter published "Trivial Poems and Triolets," by P. Carey, with a preface; and, in 1822, appeared his poem of "Halidon Hill," a dramatic sketch of great beauty, full of heroic feeling and character, and which, for pathos, may take rank with the most touching labours of the serious muse. Constable, it is said, gave him 1,000*l.* for it; it was, however, coldly received. In the succeeding year, he contributed a smaller dramatic poem, under the

title of "Macduff's Cross," to a collection of Miss Joanna Baillie. The sum of his remaining poetical works may here be made up, by adding "The Doom of Devorgoil," and "The Auchindrane Tragedy," which appeared in one volume in 1830.

The great success of the earlier novels of Sir Walter Scott had encouraged his publishers, Messrs. Archibald Constable and Company, to give large sums for those works; and, previous to 1824, it was understood that the author had spent from fifty to a hundred thousand pounds, thus acquired, upon his house and estate of Abbotsford. During the months which his official duties permitted him to pass in the country,—that is, the whole of the more genial part of the year, from March till November, excepting the months of May and June,—he kept state, like a wealthy country gentleman, at this delightful seat, where he was visited by many distinguished persons from England, and from the Continent. As he scarcely ever spent any other hours than those between seven and eleven, A. M., in composition, he was able to devote the greater part of the morning to country exercise, and the superintendence of his planting and agricultural operations; while the evenings were, in a great measure, devoted to his guests. Almost every day he used to ride a considerable distance—sometimes not less than twenty miles—on horseback. He also walked a great deal; and, lame as he was, would sometimes tire the stoutest of his companions.

Among the eminent persons to whom he had been recommended by his genius, and its productions, the late king George 4th was one, and not the least warm in his ad-

miration. The poet of Marmion had been honoured with many interviews by his sovereign, when prince of Wales and prince regent; and his majesty was pleased, in March 1820, to create him a baronet of the United Kingdom, being the first to whom he extended that honour after his accession to the crown.

In 1822, when his majesty visited Scotland, Sir Walter found the duty imposed upon him of acting as a kind of master of ceremonies. On the evening of the 14th of August, when his majesty cast anchor in Leith Roads, Sir Walter went out in a boat, commissioned by the ladies of Scotland, to welcome the king, and to present his majesty with an elegant jewelled cross of St. Andrew, to be worn on his breast as a national emblem. When the king was informed of Sir Walter's approach, he exclaimed, "What! Sir Walter Scott? The man in Scotland I most wish to see! Let him come up." Sir Walter accordingly ascended the ship, and was presented to the king on the quarter-deck, where he met with a most gracious reception. After an appropriate speech, Sir Walter presented his gift, and then knelt and kissed the king's hand. He had afterwards the honour of dining with his majesty, being placed on his right hand. In the arrangements for his Majesty's residence at Dalkeith, Sir Walter bore a conspicuous part; and in the whole of these transactions, although the novelty of the circumstances might well have occasioned mistakes, he performed his part with address and propriety.

In 1825, Mr. Constable having projected a cheap series of original and selected works, engaged Sir Walter to compose a "Life of

Buonaparte." This work was in progress, when, in January, 1826, Messrs. Constable and Company became bankrupt. For many years before, Sir Walter had been in the habit of drawing bills, at long dates, upon his publishers, as payment of the copy-rights of his works; and, as he occasionally was obliged with their acceptances in reference to works not yet written, he was in some measure compelled, by a sense of gratitude, to give his name to other obligations, which were incurred by the house, for the purpose of withdrawing the original engagements. Thus, although Sir Walter appeared to receive payment for his literary labours in a very prompt manner, he was pledging away his name all the while, for sums, perhaps, not much inferior in amount to those which he realised. At the unhappy era of 1825, to use his own words (Introduction to the *Chronicles of the Canongate*), "he found himself called on to meet the demands of creditors upon commercial establishments with which his fortunes had long been bound up, to the extent of no less a sum than 120,000*l*."

The blow was endured with a magnanimity worthy of the greatest writer of the age. On the very day after the calamity had been made known to him, a friend accosted him as he was issuing from his house, and presented the condolences proper to such a melancholy occasion. "It is very hard," said Sir Walter, in his usual deliberate and thoughtful voice, "thus to lose all the labours of a lifetime, and be made a poor man at last, when I ought to have been otherwise. But if God grant me health and strength for a few years longer, I have no doubt that I shall redeem it all." He refused to become a

bankrupt; considering, like the elder Osbaldistone, in his own immortal pages, commercial honour as dear as any honour.

By the marriage contract of sir Walter's eldest son, the estate of Abbotsford had been settled upon the young pair, so that sir Walter had scarcely any property to present against the immense amount of his debts. There was one item of property, however, which greatly surpassed the worldly goods of most debtors—his head. "Gentlemen," said he, to the claimants, using the Spanish proverb, which has already been quoted from one of his writings, "Time and I against any two. Let me take this good ally into company, and I believe I shall be able to pay you every farthing." He further proposed, in their behalf, to insure the sum of 22,000*l.* upon his life. A trust deed was accordingly executed, in which he was considered as a member of the printing firm of James Ballantyne and Company.

The commercial distresses of the country were at this period very great, and in the case of Scotland they were threatened to be much increased by the parliamentary regulations then in progress, for reducing the monetary system to an equality with that of England. Sir Walter Scott, on the 22nd of February, published a letter in the "Weekly Journal" newspaper, under the signature of Malachi Malagrowther, in which he delineated the absurdity of the parliamentary scheme in language so rich in argument, humour, and pathos, as to produce a most extraordinary sensation. His feelings on this occasion were roused to an unusual pitch, and perhaps his own recent calamity contributed to give them force and pungency. Two

days after the letter had appeared, he was in the printing house, with his friend Mr. Ballantyne, when the latter remarked, that he had been more solicitous and careful about the proof of this little composition, than he had ever observed him to be respecting any of his productions. "Yes," said he, in a tone that electrified even this familiar friend, who had heard him speak before under all varieties of circumstances, "my former works were for myself, but this—this is for my country!" Two other letters in the same strain followed; and notwithstanding an answer to them, written by no less powerful a pen than that of Mr. J. W. Croker, they had the happy effect of procuring an exemption for Scotland from the contemplated enactments.

Sir Walter then sat down, at fifty-five years of age, to the task of redeeming debts exceeding a hundred thousand pounds! In the first place, he sold his furniture and house in Edinburgh, and retreated into an humble lodging in a second-rate street.\* During the vacations, when residing at Abbotsford, he almost entirely gave up seeing company, a resolution the more easily carried into effect, as lady Scott was now dead. His expenses were thus much reduced; and yet, we are told, he never lived more agreeably in the days of his brightest splendour, than he now did in the company of his younger daughter alone, with a task before him which might have appalled many younger hearts. He was at this time labouring at his "Life of Napoleon," which expanded under his hands to a bulk

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\* St. David-street, where David Hume had formerly lived.

much beyond what was originally contemplated. In the autumn of 1826, he paid a visit to Paris, in company with Miss Scott, in order to acquaint himself with several local and historical details necessary for his work. On this occasion he was received in the kindest manner by the reigning monarch, the unfortunate Charles X. "The Life of Napoleon Buonaparte" appeared in the summer of 1827, in nine vols. 8vo., and produced to him, it is understood, the sum of 12,000*l.* being at the rate of about 33*l.* a day for the time he had been engaged on it. This, with other earnings and accessory resources, enabled him to pay the first dividend of his debts, amounting to six shillings and eight-pence in the pound.

Until the failure of Messrs. Constable & Company, the *Waverley* secret was kept inviolate, though intrusted, as he has himself acknowledged, to a considerable number of persons. The inquiries which took place into the affairs of the house rendered it no longer possible to conceal the nature of its connection with sir Walter Scott; and he now accordingly stood fully detected as the author of "*Waverley*," though he did not himself think proper to make any overt claim to the honour. At the time of the failure sir Walter was in possession of bills for the novel of "*Woodstock*," of which but a small part had as yet been written. A demand was made by the creditors of Messrs. Constable & Company upon the creditors of sir Walter Scott, for the benefits of this work, when it should be made public. But the author, not reckoning this either just or legal, was resolved not to comply. The bills,

he said, were a mere promise to pay; since, then, he had only promised to write, and they to pay, he would simply not write, and then the transaction would fall to the ground. On the claim being farther pressed, he said, "The work is in my head, and there it shall remain." The question, however, was eventually submitted to arbitration, and decided in favour of the creditors of the author, for whose behoof the work was soon after published.

The fact of the authorship continued to waver between secrecy and divulgement till the 23rd of February, 1827, when sir Walter presided at the first annual dinner of the Edinburgh Theatrical Fund Association, in the Assembly Rooms. There Lord Meadowbank,\* in proposing the health of the chairman, spoke to the following effect: "It is no longer possible, consistently with the respect due to my auditors, to use upon this subject terms either of mystification, or of obscure or indirect allusion. The clouds have been dispelled—the darkness visible has been cleared away—and the Great Unknown—the minstrel of our native land—the mighty magician who has rolled back the current of time, and conjured up before our living senses the men and manners of days which have long passed away, stands revealed to the hearts and the eyes of his affectionate and admiring countrymen." Sir Walter, though somewhat taken by surprise, immediately resolved to throw off the mantle, which, as he afterwards remarked to a friend, was getting somewhat tattered. "He did not think," he said, "that, in

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\* A Judge of the Scottish Courts of Session and Justiciary.



coming here to-day, he would have the task of acknowledging before three hundred gentlemen, a secret which, considering that it was communicated to more than twenty people, had been remarkably well kept. He was now before the bar of his country, and might be understood to be on trial before lord Meadowbank as an offender; yet he was sure that every impartial jury would bring in a verdict of not proven. He did not now think it necessary to enter into the reasons of his long silence. Perhaps caprice had a great share in it. He had now to say, however, that the merits of these works, if they had any, and their faults, were entirely imputable to himself. He was afraid to think on what he had done. 'Look on't again I dare not.' He had thus far unbosomed himself, and he knew that it would be reported to the public. He meant, then, seriously to state, that when he said he was the author, he was the total and undivided author. With the exception of quotations, there was not a single word written that was not derived from himself, or suggested in the course of his reading. The wand was now broken, and the rod buried. His audience would allow him farther to say, with Prospero, 'Your breath has filled my sails.'

He soon after followed up his confession with one more at large, in his Preface to the "Chronicles of the Canongate."

About the same time, the copy right of all his past novels was brought to the hammer, as part of the bankrupt stock of Messrs. Constable & Company. It was bought by Mr. Robert Cadell, of the late firm of Archibald Constable and Company, at 8,400*l.*, for the purpose

of republishing the whole of these works in a cheap uniform series of volumes, illustrated by notes and prefaces, and amended in many parts by the finishing touches of the author. Sir Walter or his creditors were to have half the profits, in consideration of his literary aid. This was a most fortunate design. The new edition began to appear in June, 1829; and such was its adaptation to the public convenience, that the sale soon reached an average of 23,000 copies. To give the reader an idea of the magnitude of this concern—speaking commercially—it may be stated that, in the mere production of the work, not to speak of its sale, about a thousand persons, or nearly a hundredth part of the population of Edinburgh, were supported.

The author was now chiefly employed in preparing these narratives for the new impression; but he nevertheless found time occasionally to produce original works. In November, 1828, he published the first part of a juvenile History of Scotland, under the title of "Tales of a Grandfather," being addressed to his grandchild, John Hugh Lockhart, whom he typified under the appellation of Hugh Littlejohn, Esq. In 1829, appeared the second, and in 1830, the third and concluding series of this charming book, which fairly fulfilled a half-sportive expression that had escaped him many years before, in the company of his children,—that "he would yet make the History of Scotland as familiar in the nurseries of England as lullaby rhymes." In 1830 he also contributed a graver "History of Scotland," in two volumes, to the periodical work called "Lardner's Cabinet Cyclopædia." In the same year appeared



his "Letters on Demonology and Witchcraft," as a volume of Mr. Murray's "Family Library."

The profits of these various publications, but especially his share of the profits of the new edition of his novels, enabled him, towards the end of the year 1830, to pay a dividend of three shillings in the pound, which, but for the accumulation of interest, would have reduced his debts to nearly one half. Of 54,000*l.* which had now been paid, all except six or seven thousand had been produced by his own literary labours: a fact which fixes the revenue of his intellect for the last four or five years at nearly 10,000*l.* a-year. Besides this sum, sir Walter had also paid up the premium of the policy upon his life, which, as already mentioned, secured a *post-obit* interest of 22,000*l.* to his creditors.\*

About the same time—that is, in November, 1830—sir Walter retired from his office as a principal clerk of the Court of Session, retaining a large share of the salary appropriated to that office. The government offered him a pension sufficient to make up the full amount of his usual salary—which, however, he respectfully, but firmly declined.

His health, from his sixteenth year, had been very good, except during the years 1818 and 1819, when he suffered under an illness of such severity as to turn his hair quite grey, and send him out again to the world apparently ten years older than before. It may be mentioned, however, that this illness,

though accompanied by very severe pain, did not materially interrupt or retard his intellectual labours. He was only reduced to the necessity of employing an amanuensis, to whom he dictated from his bed. The humorous character, Dugald Dalgetty, in the third series of the "Tales of my Landlord," and the splendid scene of the siege of Torquilston in "Ivanhoe," were created under these circumstances. Mr. William Laidlaw, his factor, who at one time performed the task of amanuensis, has described how he would sometimes be stopped in the midst of some of the most amusing or most elevated scenes, by an attack of pain,—which, being past, he would recommence in the same tone at the point where he had left off, and so on for day after day, till the novel was finished.

It happened very unfortunately, that the severe task which he imposed upon himself, for the purpose of discharging his obligations, came at a period of life when he was least able to accomplish it. Even when occupied with his official duties in town, he seldom permitted a day to pass over his head without writing as much as to fill a sheet of print, or sixteen pages; and this whether it was of an historical nature, with of course the duty of consulting documents, or of fictitious matter woven in the loom of his fancy. This labour must have pressed severely upon the powers of a man nearly sixty by years, and full seventy by constitution.

During the winter which succeeded his retirement from official duty, symptoms of gradual paralysis, a disease hereditary in his family, began to be manifested. His contracted limb became gradually weaker and more painful, and

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\* The aggregate dividends, at the period of his decease, amounted to eleven shillings and eight-pence in the pound; to which must be added, the large sums due by the insurance offices.

his tongue less readily obeyed the impulse of the will. Still it does not appear that he had any anticipation of his labours speedily drawing to a close. It has been asserted, that while walking with Wordsworth some time early in 1831, he was detailing his literary plans of works that were yet unborn. Having proceeded to some length, Mr. Wordsworth interrupted him by saying, "Why, you are laying down work for a life." — "No, no," rejoined sir Walter, "not for a life, but for twenty years: I have twenty years' mind and health in me yet."

As a high monarchist in principle, and attached personally to the royal family of France, sir Walter contemplated the revolution of July, 1830 with a different feeling from what was generally manifested upon the occasion by his countrymen. He feared that it was only the commencement of a new series of ruinous changes, similar to those which followed the revolution of 1789. Sir Walter also beheld with alarm the impulse given by the popular triumphs in France to revolutionary principles in Britain, and could not conceal, that he believed the reform bill, introduced into the House of Commons, to be the first step towards the ruin of this mighty empire.

In March, 1831, the freeholders of Roxburghshire (which, in reference to the gentry, may be styled a decidedly tory county,) held a meeting at Jedburgh, in order to express their opinion of the reform bills, recently introduced by lord John Russell. Sir Walter Scott, notwithstanding his declining health, felt it to be his duty to attend this meeting, in order to protest against the measure. He sat in

evident disquiet during the speeches of the ministerialists, till nearly the end of the meeting. He then rose with much of his wonted dignity when addressing an assembly, and told the meeting that he had come there that day with great reluctance, and at much personal inconvenience, as he had been for some time contending with severe indisposition.—"But, gentlemen," said he, clenching his iron fist, and giving it an energetic downward motion, "had I known that I should have shed my blood on these boards, I would have spent my last breath in opposing this measure." He proceeded further to argue the inexpediency of following French political fashions, and ended by saying, "I must take leave of you, gentlemen; and I shall do it in the well-known adage of the gladiator to the emperor—*Moriturus vos salutat.*" In the course of his speech, a few individuals, who were present only as auditors, had the audacity to hiss him. Of this insult he took no notice; but in replying to the gentleman who rose next, when the sound was repeated, he turned quick upon those who were expressing their disapprobation, and said that he cared no more for their hissing than for the braying of the beasts of the fields. His feelings, nevertheless, are known to have been greatly hurt; and there can be no doubt that the Jedburgh meeting, and the continued excitement upon the reform question, did much to sadden the last days of this illustrious man, and perhaps, also, to accelerate his decline.

During the summer of 1831, the symptoms of his disorder became gradually more violent; and his temper, formerly so benevolent, so imperturbable, became peevish and

testy, insomuch that his most familiar relations could hardly venture, on some occasions, to address him.

Since the early part of the year, he had, in a great measure, abandoned authorship. This, however, he did with some difficulty; and it is to be feared that he resumed the pen more frequently than he ought to have done. "Dr. Abercrombie," says he, in a letter dated March 7, "threatens me with death if I write so much; and die, I suppose, I must, if I give it up suddenly. I must assist Lockhart a little, for you are aware of our connection, and he has always showed me the duties of a son; but except that, and my own necessary work at the edition of the *Waverley Novels*, as they call them, I can hardly pretend to put pen to paper; for, after all, this same dying is a ceremony one would put off as long as one could."

In the autumn, his physicians recommended a residence in Italy, as a means of delaying the approaches of his illness. To this scheme he felt the strongest repugnance, as he feared he should die on a foreign soil, far from the mountain land which was so endeared to himself, and which he had done so much to endear to others; but by the intervention of some friends, whose advice he had been accustomed to respect from his earliest years, he was prevailed upon to comply. By the kind offices of captain Basil Hall, liberty was obtained for him to sail in his majesty's ship the *Barham*, which was then fitting out for Malta.

He set sail in the *Barham*, from Portsmouth, on the 27th of October, and, after a pleasant voyage, during which his health seemed

considerably improved, he arrived at Malta. From this place, after a short residence, he proceeded to Naples, where he landed on the 27th of December.

In April he proceeded to Rome, which he entered on the 21st, and there also he was received with every mark of attention and respect. He inspected the remains of Roman grandeur with great interest, and paid a visit to Tivoli, Albani, and Frascati. If any thing could have been effectual in re-illuminating the lamp of life, this would have been the ground on which the miracle might have been expected to take place. But he was himself conscious, amidst the flatteries of his friends, that all hopes of this kind were at an end. Feeling that his strength was rapidly decaying, he determined upon returning with all possible speed to his native country, in order that his bones might not be laid (to use the language of his own favourite minstrelsy) "far from the Tweed." His journey was performed too rapidly for his strength. For six days he travelled seventeen hours a-day. The consequence was, that, in passing down the Rhine, he experienced a severe attack of his malady, which produced complete insensibility, and would have inevitably carried him off, but for the presence of mind of his servant, who bled him profusely. On his arrival in London, he was conveyed to the St. James's Hotel, Jermyn Street, and immediately attended by sir Henry Hallford and Dr. Holland, as well as by his son-in-law and daughter. All help was now useless. The disease had reached nearly its most advanced stage, producing a total insensibility to the presence of even his most

beloved relations. This unhappy condition had long been contemplated by him, as what would, in all human probability, be his ultimate fate. He recollected the circumstances preceding the death of his father, and the premonitory symptoms were in himself the same. Under the feelings which this reflection inspired, he penned, in 1827, a description of the last days of his parent, which he inserted, with some disguising circumstances, in the "Chronicles of the Canongate."

"The easy chair fitted with cushions, the extended limbs swathed in flannel, the wide wrapping gown and night-cap, showed illness; but the dimmed eye, once so replete with living fire—the blabber lip whose dilation and compression used to give such character to his animated countenance—the stammering tongue, that once poured forth such floods of masculine eloquence, and had often swayed the opinion of the sages whom he addressed,—all these sad symptoms evinced, that my friend was in the melancholy condition of those in whom the principle of animal life has unfortunately survived that of mental intelligence. He gazed a moment at me, but then seemed insensible of my presence, and went on—he, once the most courteous and well-bred—to babble unintelligible but violent reproaches against his niece and servant, because he himself had dropped a tea-cup in attempting to place it on a table at his elbow. His eye caught a momentary fire from his irritation; but he struggled in vain for words to express himself adequately, as looking from his servant to his niece, and then to the table, he laboured to explain that they had

placed it (though it touched his chair) at too great a distance from him."

After residing for some weeks in London, the expiring poet desired that, if possible, he might be removed to his native land—to his own home. As the case was reckoned quite desperate, it was resolved to gratify him in his dying wish, even at the hazard of accelerating his dissolution by the voyage. He accordingly left London on the 7th of July, and, arriving at Newhaven on the evening of the 9th, was conveyed, with all possible care, to a hotel in his native city. After spending two nights and a day in Edinburgh, he was removed, on the morning of the 11th, to Abbotsford.

That intense love of home and of country, which had urged his return from the continent, here seemed to dispel for a moment the clouds of the mental atmosphere. At Fushiebridge he recognized the old landlady (the supposed prototype of Meg Dodds); and in descending the vale of Gala, at the bottom of which the view of Abbotsford first opens, it was found difficult to keep him quiet in his carriage, so anxious was he to rear himself up, in order to catch an early glimpse of the beloved scene. On arriving at his house, he hardly recognised any body or any thing. He looked vacantly on all the objects that met his gaze, except the well remembered visage of his friend Laidlaw, whose hand he affectionately pressed, murmuring, "that now he knew he was at Abbotsford." He was here attended by most of the members of his family, including Mr. Lockhart, while the general superintendence of his death-bed (now too certainly such) was committed to Dr. Clark-

son of Melrose. For two months he lingered in a state of almost total insensibility and mental deprivation, sometimes raving frantically, as if he supposed himself to be exercising the functions of a judge, but in general quite low and subdued. On one occasion he slept the uncommonly long period of twenty-seven hours; and it was hoped that, on awakening, there might be some change for the better. But in this hope his anxious friends were disappointed. He was now arrived at that melancholy state, when the friends of the patient can form no more affectionate wish than that death may step in to claim his own. Yet day after day did the remnants of a robust constitution continue to hold out against the gloomy foe of life; until, notwithstanding every effort to the contrary, mortification commenced at several parts of the body. This was about twelve days before his demise, which at length took place on the 21st of September, 1832, at half-past one o'clock in the afternoon. On his head being opened, part of the brain was found injured; several globules of a watery nature were pressing upon it.

Sir Walter Scott left four children—two sons and two daughters. The elder daughter, Sophia Charlotte, was married, April 28, 1820, to John Gibson Lockhart, esq. Advocate. The elder son, sir Walter, who entered the army, and is now a major in the 15th regiment of Hussars, was married, some years ago, to Miss Jobson, a young lady of considerable fortune. The younger son, Charles, who is a clerk in the Foreign Office, and lately attached to the Legation at Naples, and the younger daughter, Anne, are both unmarried. Lady

Scott died May 15, 1826. In stature, sir Walter Scott was upwards of six feet, bulky in the upper part of the body, but never inclining in the least to what is called corpulency. His right leg was shrunk from an early period of boyhood, and required to be supported by a staff, which he carried close to the toes, the heel turning a little inwards. The other leg was perfectly sound, but the foot was too long to bring it within the description of handsome. The chest, arms, and shoulders, were those of a strong man; but the frame, in its general movements, must have been much enfeebled by his lameness, which was such as to give an ungainly, though not inactive, appearance to the figure. The most remarkable part of sir Walter's person was his head, which was so very tall and cylindrical, as to be quite unique. The measurement of the part below the eyes was full an inch and a half less than that above, which, upon the old and new system of phrenology, must be held as a striking mark of the intellectuality of his character. In early life, the hair was of a sandy pale colour; but it was changed by his illness in 1819 to a light grey, and latterly had become rather thin. The eyebrows, of the same hue, were so shaggy and prominent, that when he was reading or writing at a table, they completely shrouded the eyes beneath. The eyes were grey, and somewhat small, surrounded by numerous diverging lines, and possessing the extraordinary property of shutting as much from below as from above, when their possessor was excited by a ludicrous idea. The nose was the least elegant feature, though its effect in a front view was by no means



unpleasing. The cheeks were firm and close; and the chin was small and undistinguished. The mouth was straight in its general shape, and the lips were rather thin. Between the nose and mouth was a considerable space, intersected by a hollow, which gave an air of

firmness to the visage. When walking alone, sir Walter generally kept his eyes bent upon the ground, and had a somewhat abstracted and even repulsive aspect. But when animated by conversation, his countenance became full of pleasant expression.

### ANECDOTES of the DUKE of REICHSTADT.

THE first instruction attempted to be communicated to the son of Napoleon was a knowledge of the German language. To this he opposed a most determined resistance; not one word of German would he pronounce, and even resisted the endeavours to teach him as an insult and an injury; for his age he kept up this resolution a long time; when it was conquered by the mildness and persuasion of his teachers, he learned the language with a prodigious facility, and soon spoke it in the imperial family like one of themselves. M. Foresti, whose duty it was to teach him to read, found the difficulty insurmountable, until he introduced a rival and a fellow-pupil. The son of one of the valets de chambre of the empress was procured, and in company with him the young Napoleon quickly devoured his task.

“From the very first,” says his tutor M. Foresti, and he was with him full sixteen years, nearly the entire of the poor youth’s Austrian life, “he exhibited the marked characteristics of his disposition. He was good natured to his inferiors, friendly to his tutor, without any lively expressions of his feelings, he only obeyed on conviction, and always began with resistance. He loved to produce an effect, and generally it was evident that he

thought a great deal more than he said: the difficulty then was, to prevent this habit from growing into dissimulation. He always received reprimands with firmness, and however annoyed he might have been by them, never retained any rancorous feeling, but always ended by allowing the justice of the representations that had been made to him. When any mutual coldness had taken place in the course of the day, owing to some severe lecture, in the evening, on taking leave of us, he was always the first to hold out a friendly hand, at the same time requesting that we would pardon his faults, and overlook the wrong he had done.”

One of the youth’s governors was a M. Collin, a poet and dramatist of celebrity. This gentleman could not help feeling that the young Napoleon’s abhorrence of fiction was a sort of censure on his profession, and it is not to be wondered at, that he endeavoured to dress up fiction in the garb likely to be most agreeable to the taste of the imperial pupil. In resorting to Robinson Crusoe for aid, may be perceived a tacit compliment to the youth’s acuteness; for, assuredly, no other fiction was ever more like truth.

“The poetical genius of Collin,” says M. Foresti, “appeared to



triumph somewhat over this obstinate resolution to reject every thing which did not appear to be true in all the exactitude of truth. On the heights which overlook Schönbrunn, on the right of the elegant arcades of La Gloriette, and at the bottom of a dark avenue of trees, may be found a spot, altogether shut out from a view of Vienna, by deep thickets, and an impervious mass of wood; a spot, from which nothing can be viewed save the cheerful but solitary aspect of mountain tops, smiling valleys, and rugged peaks, that go on ascending and ascending until they reach the lofty elevation of the summits of the Schneeberg. Here there is a hut constructed after the fashion of Switzerland, or rather of the Tyrolese mountains, whence it is called the Tyrol's House. In this rustic abode and its neighbourhood, there is nothing to remind the spectator of the vicinity of the capital. To this wild and quiet spot Collin would often bring the young duke. He there told him the story of Robinson Crusoe. The imagination of the child warmed to the tale. Solitude and silence completed the illusion; he fancied himself in a desert, and Collin suggested that he should set himself to fabricate the utensils that would be necessary to him, were he under the necessity of providing for his own subsistence in a similar spot. He acquitted himself of the task with much handiness. A collection has been made of these things; they are placed in the pavilion, which still goes by the name of the house of the duke de Reichstadt. The governor and his pupil, by uniting their efforts and their industry, succeeded in scooping out a cavern resembling that described as the

abode of Crusoe on his desert island."

During the first period of the young Napoleon's instruction at Schönbrunn, his tutors were sadly perplexed by his extreme curiosity respecting his father, as to what had become of him, the causes of his fall, &c.: evasive answers did not satisfy him.

"It was," says M. Foresti, "for us a species of torture. Happily the emperor came at length; we hastened to inform him of the perpetual questions that were put to us, and to request his instructions on this point. The emperor answered,—'truth should be the basis of the education of the prince; answer all his questions freely; it is the best, indeed it is the only way of calming his imagination, and of inspiring him with confidence, which will be necessary for you who have to guide him.'

"At first, he overwhelmed us with questions, and exhibited an affluence of ideas perfectly surprising. Finding that we were authorised, we answered him with perfect candour. That which the emperor had foreseen came to pass. After a few days, he seemed satiated with this conversation, and thenceforward became more calm, more reserved on the subject. It may seem incredible, but it is nevertheless true, that at no time, under any circumstances, was he ever heard to utter one word of regret in connection with it. Later in life, we saw that he was fully aware of the faults his father had committed, but it was a subject to which he never on any occasion alluded.

"The news of his father's was brought to Vienna by the couriers of MM. de Rotl At this moment the comte

Dietrichstein (the superior governor, was absent from Vienna, and the emperor charged me to communicate to the young prince the melancholy intelligence. He was then just turned ten years of age. It was the 22nd July, at Schönbrunn: in the same place, on the same day, on which he himself, eleven years after, was doomed to die, that I announced to him the death of his father. He wept bitterly, and his sadness endured for several days."

Great pains were taken with the duke's education. The dead languages he was taught by M. Collin, and afterwards, when Collin died, by M. Obenaus, who had been classical preceptor to half the imperial family. To these instructions, however, he inclined but an indifferent ear, and, of all his Latin books, took heartily only to Cæsar's Commentaries. His military studies took the alternate days with his classical ones, and to them he gave himself up with all possible ardour.

From the time that he attained his fifteenth year he had access to every book, without exception, relative to the history of his father and the French revolution. He read them with avidity, and is said to have been a more perfect master of every thing that has been written on these subjects than any of the persons about him. His collections in French on history, chronology, and travels, are said to be immense. His military enthusiasm showed itself in the ardour with which he pursued every thing which had any connection with the accomplishments necessary to the soldier. "I wish him to have the education of a superior officer," said the emperor; but this was only second-hand taste he had demonstrated

from his earliest years. At the age of seven, he was indulged with the uniform of a private;—after a time, in reward for the exactness with which he performed his exercise, he received the marks of the grade of sergeant, and his delight knew no bounds. He afterwards went through every other rank, and learned the duties of each in its minutest details. In his rank of private soldier, he used to stand sentinel at the door of the apartments of the emperor. Whenever a member of the court passed—if a man—he used to present arms with the utmost gravity; but never if a woman. Some one rallied him on the subject; this answer was much more French than German;—"I am ready," he answered, with much liveliness, "to present to the ladies—every thing but my arms." His respect for every thing military was remarkable. One day, when admitted to dine in company with the emperor on a public day, he retreated from the place he usually occupied next to the arch-dukes, and attempted to sit at the lower end of the table: when asked the reason, "I see generals here," said he; "they ought to precede me." The empress one day at a *fête* wished him to sit among the ladies. He declined, saying, with the utmost gravity, "my place is among men." It was remarked by the people about him that he never was a child; he had scarcely ever associated with children, and had adopted the reflective manners of those about him. Without being any thing extraordinary as a child, his intelligence was from the first precocious. His answers were as quick as judicious; he expressed himself with precision and exactness, and with great elegance of phrase. He was a perfect master

of the theory of the French and German languages, and wrote them with remarkable purity.

Up to a certain age, the young prince had been permitted to store his memory with facts, and to interpret them according to his own judgment. At length, however, it was deemed right that the Austrian version of the European story should be made known to the young prince. No fitter person could be found for the due execution of this task than the prince de Metternich, who, under the name of lectures on history, gave him at length, and in a series of interviews, the whole theory of imperial politics. Under the pretence of a sketch of his father's history, he pointed out to the young man the danger of rising above the station in which he was placed, and proved, in fact, that the very qualities which enable an individual to rise are precisely those which must afterwards ensure his fall. These lectures are described as having had the happiest results. The young Napoleon, or François, as he had been re-christened, eagerly accepted Metternich's instructions, and, in cases of any difficulty or doubt, always resorted to him for their solution. Both the emperor and his minister, in short, seem to have succeeded in thoroughly winning the entire confidence of the youth; the practical result of which was, that no communication was ever made to him that he did not feel it a point of duty instantly to communicate. This was very convenient; and, if any proof were wanting, would prove the skill and true jesuitical dexterity of the Austrian minister. The youth is reported to have said to the emperor and Metternich, "the essential object of my life

ought to be to make myself not unworthy of the glory of my father. I shall hope to reach this point of my ambition, if I can appropriate to myself any of his high qualities, taking care to avoid the rocks on which he split. I should be lost to a proper sense of his memory, if I became the plaything of faction, and the instrument of intrigue. Never ought the son of Napoleon to condescend to play the miserable part of an adventurer." It was said the young prince was surrounded with intrigues, and the utmost vigilance, which he knew and approved of, was necessary to protect him from attempts to draw him into them.

One of the very few friends whom the duke of Reischstadt made for himself, was a very deserving young officer, M. Prokesch, who had distinguished himself by his travels in the East, and several military publications. From him M. de Montbel gained much interesting information. The manner in which the acquaintance was formed is thus described by M. Prokesch:—

"After my long travels and my numerous missions, I had gone to visit my family at Gratz. The emperor, who, at that time was traversing Styria, stopped at this town. Pleased with my conduct, and the documents I had been able to lay before him, his majesty testified his satisfaction by inviting me to his table. I found myself placed next the duke of Reichstadt, whom I had often regarded with the interest generally inspired by him; but up to that moment I had never spoken to him, or heard him speak.

" 'I have known you long,' said he to me; 'I have been taken up a great deal by you.'

“ ‘How, Monseigneur’ said I, ‘have I acquired this distinction?’

“ I have read, I have studied your work on the battle of Waterloo, and I have been so pleased with it, that I have translated it into both French and Italian.”

This was the commencement of an intimacy which appears to have afforded the young prince much pleasure. In the first interview the prince seemed deeply interested about the East. He multiplied questions on the actual state of those countries, the character of the inhabitants, and particularly of the men who were likely to influence their future condition. This subject led to his father’s Egyptian campaigns ; to the causes which stopped his progress before St. Jean d’Acre; he grew warm and enthusiastic in speaking of the possibilities which would have followed the capture of that important place, and on the immense results which the large and active mind of his father would have drawn from it.

“ While we were both animated,” says M. Prokesch, “ with all the fire of this subject, M. de N\*\*\*, was announced ; the visit greatly annoyed him ; I got up to leave him. ‘ Stay,’ said he, ‘ the general will prove but a transient evil.’ In fact he very soon departed, and we recommenced our conversation with fresh vigour. The manner and voice of the duke indicated the deep and lively interest he took in the subject ; his tone was that of a lively attachment, a passionate admiration of the memory of his parent ; he grew animated in talking of his achievements, which he knew in their minutest details, as well as in their general effect, and in thanking me for the justice I had done in my work on Waterloo,

he testified a strong desire to read it with me, and enjoined me to visit him often during his sojourn at Gratz, where he had some days still to remain. I very gratefully accepted this favour, and took care not to break my promise.”

The epoch of the revolution of July, 1830, may be supposed to have produced a startling effect on the mind of a young prince, so deeply interested in the fortunes of his father, and so devoured himself with military ambition. All that we are told on this subject, and, perhaps, all that he expressed, is of a description that excites surprise. “ I wish that the emperor would permit me to march with his troops to the succour of Charles X.” Nevertheless, one who knew him well, the author of the “ Lettre sur le duc de Reichstadt.” (who is said to be M. Prokesch himself), tells us that his hope and aim were the throne of France, on which he expected to be placed, not by a party in France, but by the general demand of the country, backed by the consent of the monarchs of Europe. To this secret idea, working in the recesses of his heart, must be attributed his restless labours, his continued studies, his fatiguing exercises, his rage for riding, and his passion for military information. He dreaded to be taken unprepared ; he, as it were, slept in his arms. He read all the journals and the pamphlets attentively, watched the play of parties, and shrewdly predicted their duration. It was about this time that he was agitated by an attempt on the part of the countess Camerata, a daughter of Eliza Bacciocchi, and consequently his cousin, married to a wealthy Italian noble, to involve him in a correspondence. A letter of hers, written

in a style of considerable exaltation, with the view of exciting his ambition, and probably urging him to some movement respecting France, was laid on his table by some secret agency. One evening, in disguise, she laid wait for him on entering the imperial palace, seized his hand, and kissed it with an expression of the utmost tenderness. Obenaus, the duke's tutor, who was alone with him, and had been struck with surprise as well as the duke, stepped forward and asked her what she meant. "Who," cried she, in a tone of enthusiasm, "will refuse me the boon of kissing the hand of the son of my sovereign?" At the time, the duke was ignorant who it was that had tendered him this sort of equivocal homage, but her subsequent letters enlightened him on the subject.

The French revolution and the prospect of war which it opened upon the different armies of Europe, added fresh excitement to the duke's military studies. He took M. Prokesch for his fellow student and friendly instructor. "We read, at this epoch, with much application, Vaudoncourt, Ségur, Norvins, the aphorisms of Montécuculli, the memoirs of prince Eugene of Savoy, and the voluminous works of Jomini: all these works were in succession compared, discussed: they are covered with the prince's marks and marginal notes." About this time, also, he put into M. Prokesch's hands a manuscript of singular interest. It was a course of conduct traced by himself, in which he laid down the line prescribed to him by his duty. In this composition, interspersed with shrewd general views, he considered his position in relation to France and Austria,

he pointed out the rocks which surrounded him, the means of avoiding these dangers, the influences to which his mind was subject, and by which it could be regulated, how his defects might be supplied, his ambition moderated, its movements governed, and in what way useful results might be extracted from tendencies which, if left to themselves, might be mischievous—to, in short, prepare for an honourable life, such as accorded with the rank in which he had been placed by Providence.

The first appearance of the young man in society was on the 25th of January, 1831, at a grand party at the house of the British Ambassador, lord Cowley. He was exceedingly struck with the strange mixture of remarkable persons, the representatives of the various changes that have lately taken place in Europe. "How painful and wearisome," he said to a friend the next morning, "are parties of this sort to me. What striking contrasts were assembled in the same apartment! I saw about me (himself by the way, a monument of political change) two princes of the house of Bourbon, Baron de Kenzinger, the representative of Charles the 10th. Maréchal Maison, the ambassador of Louis Philip, the prince Gustavus Vasa, the natural heir of the throne of Sweden, and count Lowenheim, minister of Charles John. For the first time, I spoke with Maréchal Marmont: my father quoted him as a man of talent, and I found his conversation correspond with this character. I am to receive him to day. I am glad to find myself in communication with Frenchmen. I do not wish to remain absolutely unknown in France, or that so many erroneous ideas respecting my situation



should continue to be entertained there."

This interview with Marmont, the only survivor of his father's early aides-de-camp, had for some time been passionately desired by him. Metternich's permission was obtained; the marshal and his ancient master's son were mutually pleased. The young Napoleon had a thousand questions to ask, a thousand points to clear up. Marmont is a man of education, agreeable conversation, and quite capable of giving all the advantage of language and expression to his experience. It ended in Marmont being engaged to give the duke a whole course of military lectures; the text being Napoleon's campaigns. They were continued until the subject was exhausted, or until, as is not improbable, their frequency had begun to give umbrage. Marmont retired, promising, at least, to see his pupil every fortnight.

On the 15th of June, 1831, the prince was named lieutenant-colonel, and took the command of a battalion of Hungarian infantry, then in garrison at Vienna. His exertions in the discharge of his new duties, in addition to his previous occupations, appear to have made the progress of his malady, which had till now proceeded secretly, visible both in his appearance and in his inability to bear fatigue. His voice became hoarse, he was subject to coughs and attacks of fever; he had shot up to a prodigious height, and his appearance bore many marks of the germs of the terrible phthisis, now breaking out into activity.

"Frequently," says his physician, Dr. Malfatti, "I have surprised him in the barracks in a state of (      )ful lassitude. One

day, amongst others, I found him stretched on a sofa, exhausted, powerless, and almost fainting. Not being able to conceal the wretched state in which I found him, he said, 'I abominate this wretched body that sinks under my will in this manner.' 'It is indeed provoking,' I answered, 'that your highness cannot change your person, as you do your horses when they are tired; but permit me, Monseigneur, I conjure you, to remember, that you have set a will of iron in a body of glass, and that the indulgence of your will cannot prove otherwise than fatal.'

"His life was, in fact, at that time undergoing a process of combustion; he slept scarcely four hours, though, by nature, he required a great quantity of sleep; he scarcely ate at all. His soul was entirely concentrated in the routine of the manège and the different kinds of military exercises; he was, in fact, never at rest: he continued to increase in height, grew wretchedly thin, and his complexion gradually became thoroughly livid. To all my questions he answered, 'I am perfectly well.'"

Malfatti at length considered it necessary to present a representation to the emperor on the state of the duke's health. Both the patient and the physician were summoned to the imperial presence. Malfatti repeated his statement. The emperor then turned to the young prince, and said, "You have heard Dr. Malfatti; you will repair immediately to Schönbrunn." The duke bowed respectfully, and, as he was raising his head, he gave Malfatti a glance of excessive indignation. "It is you, then, that have put me under arrest," he said to him in an angry tone, and hurried away. He was placable, how-



ever, and soon forgave his amiable physician. The air and quiet of Schönbrunn were extremely beneficial; he began again to sleep and to eat; the first return of vigour was the signal for exertion. He commenced hunting, as the next best thing to war, in all weathers, and with a recklessness that, joined to similar exposure in visiting neighbouring military stations, soon re-established the malady. Phthisis assumed all its horrible power; he gradually sank, and, after dreadful suffering, and all the rallying and resistance which a strong will can sometimes effect against disease, he fell a victim to it on the 22nd of July, 1832, at Schönbrunn, on the same bed, in the same apartment, that his father had occupied as the conqueror of Vienna.

His mother was present during his latter days, and seems to have suffered all a mother's pains. The emperor was greatly affected; a very strong attachment subsisted between them; and, on the part of the duke, the honest, straightforward character of the emperor, joined with his paternal kindness and evidently honest intentions,

had made a profound impression on the mind and heart of his grandson. On the opening of the body, the opinions of the duke's physicians were fully confirmed; one lobe of the lungs was nearly gone; and, while the sternum was that of a mere child, the intestines presented all the appearance of decrepid age.

As he laid on his bier, his resemblance to his father, that resemblance so striking in the cradle, became once more remarkable. It might have been detected in life, but the flowing blond hair of his Austrian mother, and his tall form, would naturally mask the resemblance. His manner was graceful and elegant—the expression of his countenance somewhat sad; he was reserved till he fancied he had found a friend, when he became confidential, communicative, and even enthusiastic. He appears to have been universally beloved: no one can recollect an offence—much less an injury; he was full of kindness and consideration for every one about him. Only one passion appears to have been developed in him—that of military ambition.

## MISCELLANEOUS ARTICLES.

*American Expedition of Discovery.*—The expedition sent out by the American government in 1820-21, to explore the rocky mountains, and north of the Numean line, has at length been heard of, after an absence of eleven years. The company landed at Green Bay, and wintered; went by Prairie du Chien to St. Anthony's Falls, Mississippi; went up St. Peter's 200 miles, in search of lead mines, where they discovered several very valuable ones; wintered there; went down the same river, and also the Mississippi to the mouth of the Missouri; thence up the Missouri to the foot of the Rocky Mountains; wintered there, and continued to the middle of August; then crossed the mountains, and were west eight years. While travelling by the Frozen Ocean, and having been over into Asia South, towards the head of Colombia river they were overtaken by a storm, and compelled to build houses, and stay there nine months, six of which the sun never rose, and the darkness was as great as during our nights. The snow, part of the time, was fourteen feet deep, and the company were compelled to eat forty-one of their pack horses to prevent starving, whilst the only food the horses had was birch bark, which the company cut and carried to them, by walking on the snow with snow-shoes. After crossing the mountains, they passed 386 different Indian tribes, some perfectly white, some entirely covered

with hair, who were among the most singular, and so wild that the company were compelled to run them down with horses. Of the company, five died by sickness, one by breaking a wild horse, one by the fall of a tree, and fifteen were killed by the Indians—total twenty two. Ten of the nineteen survivors are lame, some by accident.

*Alpine Phenomena.*—Soon after six o'clock in the morning of the 14th of November (says a letter from Bruneck, in the Tyrol), a broad stream of light suddenly descended from the centre of the firmament nearly down to the ground, and was then drawn gradually up again to the middle of the sky, whence, for several seconds, it stretched itself out towards the north in a long ray of light which first appeared in a straight, and then changed to a wavy line; after this it gathered into a light orb, resembling a white cloud, and remained stationary in the centre of the firmament for a full quarter of an hour, when it disappeared with the break of day. The appearance was accompanied by so vivid a degree of illumination that the smallest pebble in the road was readily distinguishable, and those who were abroad at the time were completely panic-struck. The sky, instead of being muddy with vapour, as is customary at this season, and at this time of the morning, was clear and cloudless, and the air remarkably serene and tranquil. Between five and six

o'clock, however, an unusual number of falling stars were observed in various parts of the heavens.

*Statistics of Crime.*—Of the French population, it is estimated that annually one individual out of every 4,460 inhabitants is tried for some crime; that of 100 tried, 61 is the regular proportion of the condemned. From a table of the number of the murderers, it appears that there were, in 1826, 241; in 1827, 234; in 1828, 227; and in 1829, 231.

*Indian Coal.*—An examination of several varieties of Indian coal was laid before the Asiatic Society of Calcutta at their meeting on the 8th of June. The coals of that country differ principally from those of Europe in the quantity of earthen ash which they leave behind on burning, and which in the best English pit coal does not exceed one or two per cent. The Chinese coal contains very little volatile matter, and consequently burns slowly and without flame; it is therefore unfit for steam engines, but it seems well adapted for purposes to which coke would be applied.

*Atmospherical Phenomena.*—In New Grenada, from the 11th of December, 1808, to the end of January 1809, the disk of the sun at his rising appeared pale, and totally divested of its dazzling splendor, so that it was often mistaken for the moon. However, after gaining a slight elevation, it reassumed its ordinary aspect. Both in the morning and evening, it often appeared tinged with a slight shade of rose-colour or light green, and sometimes of a bluish grey, nearly resembling the hue of steel. The cold, during the whole of this time, was more sensibly felt than

general; and frequently in the morning the plains in the neighbourhood of Bogota were covered with a hoar frost, which nipped the tender shoots of plants, a circumstance before unknown in this district within the memory of man. The sky was constantly clothed with a transparent haze, uniformly extended, and continuing during the day as well as the night. This haze produced none of those coloured halos, which are generally observed on such occasions surrounding the sun and moon. It concealed all stars below the fourth magnitude. The air was constantly free from moisture, and generally calm; and the winds which blew at short intervals, came always from the south. This phenomenon was observed at Pasto Popayan, Neba Tunja, and Santa Martha, that is, from the first to the twelfth degree of south latitude.

*Advantages of Rail-Roads.*—Before the establishment of the Liverpool and Manchester railway, there were twenty-two regular and about seven occasional extra coaches between those places, which, in full, could only carry per day 688 persons. The railway, from its commencement, carried 700,000 persons in eighteen months being an average of 1,070 per day. It has not been stopped for a single day. There has occurred but one fatal accident on it in eighteen months. The fare by coach was 10s. inside, and 5s. outside—by railway it is 5s. inside, and 3s. 6d. outside. The time occupied in making the journey by coach was four hours—by railway it is one hour and three-quarters. All the coaches but one have ceased running, and that chiefly for the

conveyance of parcels. The mails all travel by the railway, at a saving to government of two-thirds of the expense. The railway coaches are more commodious than others. The travelling is cheaper, safer, and easier. A great deal of traffic, which used to go by other roads, comes now by railway; both time and money are saved, though the length of the journey may be often increased. The proportion of passengers carried by railway, over those carried by coach, has been as twenty-two to ten, in winter, and seventeen or eighteen to ten in summer. A regiment of soldiers has been carried by the railway from Manchester to Liverpool in two hours. Gentlemen's carriages are conveyed on trucks by the railway. The locomotives travel in safety after dark. The rate of carriage of goods is 10s. per ton; by canal it used to be 15s. per ton. The time occupied in the journey by railway is two hours; by canal it is twenty hours. The canals have reduced their rates 30 per cent. Goods delivered in Manchester the same day they are received in Liverpool. By canal they were never delivered before the third day. By railway, goods, such as wines and spirits, are not subject to the pilferage which existed on the canals. The saving to manufacturers in the neighbourhood of Manchester, in the carriage of cotton alone, has been 20,000*l.* per annum. Some houses of business save 500*l.* a-year in carriage. Persons now go from Manchester to Liverpool and back in the same day with great ease. Formerly they were generally obliged to be absent the greater part of two days. More persons now travel on their own business. The

railway is assessed to the parochial rates in all the parishes through which it passes; though only thirty-one miles, it pays between 3,000*l.* and 4,000*l.* per annum in parochial rates. Coal-pits have been sunk, and manufactories established on the line, giving great employment to the poor; manufactories are also erected on the line, giving increased employment, and thus reducing the number of claimants for parochial relief. The railway pays one-fifth of the poor-rates in the parishes through which it passes; fresh coal-mines sunk, owing to facilities of carriage, and price reduced. It is found advantageous for the carriage of milk and garden produce; arrangements about to be made for milk to be carried fifteen miles at 1s. for ten gallons, (*i. e.* less than one farthing per quart). A great deal of land on the line has been let for garden ground, at increased rents. Residents on the line find the railway a great convenience, by enabling them to attend to their business in Manchester and Liverpool with ease, at little expense. No inconvenience is felt by residents from smoke or noise; and, on the contrary, great advantage is experienced by means of travelling, to and fro, distances of ten miles in half an hour for 1s. and without any fatigue. The engines only burn coke. The value of land on the line has been considerably enhanced by the operation of the railway; land cannot be purchased but at a large increase in price. It is much sought after for building, &c. The railway company, in their late purchases, have been obliged to pay, frequently, double the price they originally paid for their land. A great deal of land

has been sold for building, at three times its former value. Much waste land on the line has been taken into cultivation, and yields a good rent.

*European Population.*—In Prussia, the number of marriages was greatly increased after the expulsion of the French. During the years 1817, 1818, and 1819, one person was married in 98; in the subsequent years, the numbers again fell to one in 108, one in 111, and one in 118. In France, from the year 1815 to 1822, the number of marriages was much less than before the revolution, although the population was greater by several millions. After 1817, the number of annual marriages increased by about 8,000, and continued stationary at that rate till 1821; but in 1822, after the evacuation of the country by foreign troops, the number quickly rose by 20,000, and, in the ensuing year, even by 40,000. It again declined during the administration of Villèle, and increased after the overthrow of his ministry. Even in Russia, from 70,000 to 80,000 couples less than usual were married in 1812. The proportion of deaths among children under five years is also remarkable, as it seems to keep pace with the degree of education and comfort of the inhabitants. It is smallest in the large towns, and would be smaller still if it were not for those who die in workhouses and hospitals, deserted by their parents. The degree of fertility of marriages seems to vary between 3,500 and 5,500 children, to 1,000 couples. From an average of more than 77,000,000 births, and also 17,000,000 of marriages, all extending over a period of several years, the following results have

been obtained: to 1,000 marriages there were born in the—

	Children.
Kingdom of the Two Sicilies	5,546
In France	4,148
In England	3,565
In Zealand	3,439

the two Sicilies and Zealand being the extremes. Marriages appear to be less prolific as the countries lie nearer to the north. A fourth point of importance in these investigations is the growing excess of males over females since the general peace, which, if correctly stated, is not a little alarming, and seems to make a periodical return of war an indispensable evil. Thus, in Russia, the increase of males over females, in fifteen years, was 804,453; in France, 347,254; in Prussia, 69,764; in Naples, 25,796; in Bavaria, 8,398; in Bohemia, 69,172; in Sweden, 15,195; in Wurtemberg, 6,877; in Hesse, 3,361; in Nassau, 6484;—briefly, in a total population of 101,707,212, an excess of 1,356,754 males. If this proportion be applied to all Europe, with a population of 215,000,000, the excess of the males would amount, in the same period of peace, to 2,700,000. In the southern provinces of Russia, near the Caucasus, in the two Americas, and the Cape of Good Hope, the disproportion is still greater.

*Meteoric Phenomenon.* — The “St. Petersburg Academical Gazette” contains the following account of an extraordinary phenomenon, from a letter, dated Moscow, May 2:—

“In March last, there fell, in the fields of the village of Kourianof, thirteen versts from Volokolamsk, a combustible substance of a yellowish colour, at least two inches thick, and covering a superficies of between 600 and 700 square

feet. The inhabitants at first thought it was snow, but on examination it appeared to have the properties of cotton, having, on being torn, the same tenacity; but on being put into a vessel filled with water, it assumed the consistence of rosin. On being put to the fire in its primitive state, it burnt and sent forth a flame like spirits of wine; but in its resinous state it boiled on the fire without becoming inflamed, probably because it was mixed with some portion of the snow from which it had been taken. After a more minute examination, the rosin had the colour of amber, was elastic like Indian rubber, and smelt like prepared oil, mixed with wax."

*Spontaneous Combustion.*—The German papers contain the following remarkable intelligence, dated from the Lake of Geneva, August 18:—"The extraordinary heat which has prevailed, almost without interruption, for nine weeks, has produced phenomena in the countries bordering our lake to which there is no parallel on record. At Geneva, a spontaneous combustion took place in the churchyard of Plain Palais, though in a rather damp plain (*plana palus*). The high grass on the graves, the cypress, and fir-trees, took fire, and it was necessary to bring the engines to extinguish it, which was effected, but not without difficulty. A more remarkable event took place in Savoy, near the village of Magland (province of Faucigny). All at once the alarm-bell was sounded, not only in the village, but the whole surrounding country, and in the whole valley, to summon the inhabitants with all speed to extinguish a dangerous fire, of a kind hitherto unheard of; for it was not houses, or trees, or heath

that was burning, but the roots of the trees, two feet under the ground. This strange fire began at Seine (in the commune of Arrache): nothing appeared on the surface; the furze and bushes were untouched, till at once several trees fell, and were then consumed by the fire that burnt from their roots. The people, indeed, felled the wood, that the fire might not spread, and would willingly have turned up the ground to extinguish the fire that was burning the roots; but, in the terrible drought, where were they to get water? This subterraneous fire, therefore, consumed 250 acres of fine forest. The fear of the subterraneous fire had such an effect on the inhabitants, that many villages, (for instance, Colsane) were wholly deserted: and as the people were also afraid of going into the forest, they remained exposed to the scorching rays of the sun (generally 40° of Reaumur) in the naked plain, where the wells began to dry up. This subterraneous fire is doubtless closely connected with the flames which at the same time issued from the earth in several places in Lausanne. The rain which came a few days ago, and considerably lowered the temperature, seems to have checked this fire, though many persons fear that the rain was by no means of sufficiently long continuance to penetrate so deep into the earth as to remove all danger of the fires beginning again on the return of hot and dry weather, such as seems to be setting in."

*Improvement of the Navigation of the Rhine.*—A great improvement in the navigation of the Rhine has been effected by the explosion of the rocks forming the well known danger of the passage called the Bingen-loch, between



Coblentz and Mentz, which was happily effected in the presence of prince Frederick of Prussia, and a great concourse of spectators, the rock being bored in different places, charged with powder, and fairly blown out of the water. This interesting spectacle lasted two hours. The vessels on the Rhine were decorated with the Prussian flag and innumerable other colours, and the shores lined with music and rejoicing multitudes. Every trace of danger is now obviated: steamers and ships deeply laden can now pass, notwithstanding the lowness of the water, during the heat of the summer.

*French Budgets.*—The “*Quotidienne*” gives the following table of the annual budgets of France from the year 1801, said to be drawn from official documents:—

1801	..	549,620,169fr.
1802	..	499,957,885
1803	..	632,279,523
1804	..	894,431,555
1805	..	700,000,000
1806	..	902,148,499
1807	..	731,725,686
1808	..	772,744,445
1809	..	786,740,214
1810	..	785,060,445
1811	..	1,000,000,000
1812	..	1,065,014,000
1813	..	1,150,000,000
1814 (the last		
9 months)		609,394,625
1815	..	798,390,869
1816	..	895,577,203
1817	..	1,036,810,583
1818	..	1,114,453,736
1819	..	868,312,572
1820	..	875,342,252
1821	..	882,321,254
1822	..	949,174,982
1823	..	1,682,095,283
1824	..	951,992,200
1825	..	946,948,442
1826	..	976,948,919
1827	..	915,729,742
1828	..	922,711,602
1829	..	1,021,746,938
1830	..	1,177,000,000
1831	..	1,172,197,435

The “*Quotidienne*” adds, that the above sums only represent the regular budgets, but in order to form a just estimate of how much the revolution of July had cost the country, the loans already contracted, and the deficit concealed by a large issue of treasury bills should be taken into account.

*Physiological Phenomenon.*—A patient in the hospital Della Vita, at Bologna, is subject, every third day, to violent convulsions, during the continuance of which, he loses entirely the use of all his senses, and can neither hear, see, nor smell; his hands also become so firmly clenched that it would be impossible to open them without breaking the fingers. Nevertheless, Dr. Ciri, the physician, under whose charge he is placed, has discovered that the epigastric region, at about two fingers-breadth above the navel, receives all the impressions of the senses. If the patient be spoken to, while the finger is placed on this spot, he gives answers, and, on being desired, opens his hands of his own accord. If any substance or matter is placed there, he can describe its form and quality, its colour and smell. As long as the finger is kept on the stomach, the convulsion gradually diminishes till it entirely disappears; but if the finger be placed on the heart, the convulsion returns with increased violence, and continues as long as the finger is kept in that position. If a flute be played while the finger is kept on the stomach, the patient hears the music; but if the finger be taken away for an instant, and placed on the heart, and then taken back again to former position, the man asks if they play by intervals, though the flute has never ceased.

## P A T E N T S.

Robert William Sievier, of Southamp-ton-row, Bloomsbury, gentleman, for certain improvements in the making or manufacturing of cables, ropes, whale-fishing, and other lines, lathe and rigger bands, bags and purses, part of which said improved articles are applicable to other useful purposes.

Cornelius March Payne, of Stratford, Essex, silk-printer, for certain improve-ments in printing silk, cotton, and other goods or fabrics.

Claude Marie Savoye, of Oxford-street, merchant, for an improvement or improvements in mills or machines for grinding or reducing grain and other substances.

Abraham Adolp Moser, of Canterbury-row, Kennington, engineer, for improve-ments in certain descriptions of fire-arms. (communicated by a certain foreigner residing abroad).

Isaac Strombom, of Old Broad-street, London, merchant, for a medicinal com-position or embrocation for the cure, re-lief, or prevention, of external and inter-nal complaints, which composition or embrocation may, alone, or with certain alterations, be beneficially used as an internal medicine.

Daniel Ledsam, and William Jones, of Birmingham, for certain improvements in machinery for making pins, rivets, wood-screws, and nails.

Pierrepont Greaves, of Chorley, in the county of Lancaster, gentleman, for a method or methods of making ornamental or fancy cotton yarns and threads, appli-cable to the making, sewing, or embroid-ering cotton and other fabrics.

John Christopher Tobias Kreeft, of Old Broad-street, London, merchant, for an improved apparatus for shaping plates of metal, and for manufacturing various articles therefrom (communicated to him by Stephen Von Keesz, and Mo-ritz Von Ischoffen, foreigners residing abroad).

Samuel Hall, of Basford, of Notting-hamshire, cotton manufacturer, for an improved piston and valve for steam, gas, and other engines; also an improved lubricating the pistons, piston

rods, and valves, or cocks of such en-gines, and of condensing the steam, and supplying water to the boilers of such steam-engines as are wrought by a va-cuum produced by condensation.

Benedict Nott, of Liverpool, esq., for certain improvements in the construction of a furnace or furnaces for generating heat, and in the apparatus for the appli-cation of heat to various useful purposes, being further improvements upon a patent obtained by the petitioner, dated November 4, 1830 (communicated by a certain foreigner residing abroad).

Malcolm Muir, of Hutchinson Town, Glasgow, engineer, for certain improve-ments in machinery or apparatus for pre-paring boards for flooring and other pur-poses.

Robert Walter Wingfield, of Birming-ham, brass-founder, for certain improve-ments in the construction of bedsteads, one or more of which said improvements is or are likewise applicable to other articles.

William Sneath, of Ison Green, Not-tingham, lace-maker, for certain improve-ments in machinery for the manufacture of bobbin-net lace.

John Dickinson, of Nash Mill, in the parish of Herts, esq. for certain improve-ments in the manufacture of paper.

John Libon, of the Naval Club House, Bond-street, esq. commander in the Royal Navy, for an improved method of con-structing capstans.

Moses Teague, of Park End Iron-works, near Calford, Gloucestershire, iron-master, for certain improvements in making and smelting pig iron.

Elijah Galloway, of Blackfriars-road, engineer, for certain improvements in paddle wheels.

George Vaughan Palmer, of the parish of St. Swithin's, Worcester, artist, for certain improvements in machinery or apparatus for excavating, called an exca-vating and self-loading cart.

Joseph Maybury, John Maybury, and Joseph Maybury, the younger, of Bel-ton, in Staffordshire, iron-masters, for certain improvements in polishing and manufacturing of ladles, spoons and other

articles for culinary, domestic, and other purposes, made of iron, and timed.

John Jellicorse, of Stansfeld Mill, in the county of York, for certain improvements in spinning machinery.

William Lloyd Wharton, of Dryburn, in the county of Durham, esq., for certain improvements in engines for raising or forcing water by the pressure and condensation of steam.

Collin Smith, of Great St. Helen's, Bishopsgate, for an apparatus or machine for regulating the course and action of fluids and liquors, and which is applicable to various purposes.

Thomas John Fuller, of the Commercial-road, Limehouse, civil engineer, for an improved mode or process for raising water or other fluids.

William Church, of Bordsley-green, near Birmingham, esq., for certain improvements in apparatus to be employed in the transportation of goods or passengers, parts of which apparatus are also applicable to the ordinary purposes of steam-engines.

John Ericsson, of Liverpool, civil engineer, for his improved engine for communicating power for mechanical purposes.

John Heathcoat, of Tiverton, Devonshire, lace manufacturer, for his invented method or methods of ornamenting, embroidering, or working devices upon lace, net, and other fabrics.

John Sutton Nettlefold, of Red Lion street, Holborn, ironmonger, for his improvements in table furniture, and applicable to other purposes.

George and Elias Solomons, of Bedford-square, Stepney, for improvements in preparing certain transparent substances for spectacles, and other useful purposes.

Richard Atkinson, of Huddersfield, woollen-cloth manufacturer, for an improved machine for raising or brushing woollen cloths, and other goods.

George Freeman, of Tewkesbury, Gloucestershire, lace manufacturer, for improvements in machinery for ornamenting and producing devices upon lace net.

Alexander Beattie Shankland, of Liverpool-street, London, for a new method of cutting, working, and planing of wood, minerals, and metals, by means of machinery (communicated by a foreigner resident in America).

William Crofts, of Linton, Nottinghamshire, frame-smith, for improvements

in machinery for making lace or net, commonly called bobbin-net lace.

Ralph Watson, of York-place, Portman-square, esq., for the invention of a certain improved lamp, (communicated by a foreigner residing abroad).

Thomas De La Rue, of Crown-street, Finsbury-square, card maker, for improvements in making or manufacturing, and ornamenting playing cards.

William Church, of Bordesley-green, near Birmingham, gentleman, for his improvements in machinery for making nails.

Samuel Walker, of Millshaw, near Leeds, clothier, for improvements in gig machines for dressing woollen cloths.

John Joyce, of Portland-road, Marylebone, gentleman, for a certain improvement or improvements in machinery for making nails of iron, copper, and other metals (communicated by a foreigner residing abroad)

Charles Beard of Coggeshall, Essex, ironmonger, for his improvement in the construction of cocks or taps for drawing off liquids.

George Oldland, of Hillsley, Gloucestershire, cloth-worker, for improvements in machinery or apparatus for shearing, dressing, and finishing of woollen cloths, and other fabrics.

William Wells, of Manchester, machine maker, for a new and improved mode of making and constructing gig machines, otherwise called raising machines, or machines for raising the nap or pile of, and brushing and dressing woollen, and other cloths.

Thomas Petherick, of Penpelleck, in the parish of Tydwardreoth, Cornwall, mine-agent, and John Filimore Kingston, of Ilington, Devon, gentleman, for improvements in certain machinery and apparatus for separating copper, lead, and other ores from earthy and other substances with which they are or may be mixed; the said improvement being applicable to the machinery for which a patent was granted by his late majesty, to the petitioner Thomas Petherick, bearing date the 28th of April, 1830.

Frederick Collier Bakewell, of Hampstead, Middlesex, gentleman, for certain improvements in machinery or apparatus for making or manufacturing soda water, and other aerated waters or liquids.

Joseph Gibbs, of the Kent-road, engineer, and William Chaplin, of the Adelphi, coach maker, for improvements

in wheeled carriages and in the means of constructing the same.

Henry Warner, of Loughborough, Leicestershire, hosier, Charles Hood, of the same place, frame smith and setter up, and Benjamin Abbott, also of the same place, frame-work knitter, for their improvements upon machinery for making stockings, stocking net or frame-work knitting, warp, web, warp net and point net.

John Day, of Birmingham, brass founder, for an improvement in the manufacture of cocks used for stopping and drawing off gas and water, and for other purposes for which cocks are now used.

Henry Brewer, of Surrey-place, Old Kent-road, Southwark, wire weaver, for his improvements in machinery or apparatus for making paper.

John Walmsley, of Manchester, silk winder, for a machine for cutting off the fur or hair from beaver and other skins.

Matthew Towgood, of Dartford, Kent, paper-maker, for his improvements in cutting paper.

William Day, of Gate-street, Lincoln's Inn-fields, lithographic printer, for his improvements in the construction of printing presses.

Bennet Woodcroft, of Manchester, printer, for his improvements in the construction and adaptation of a revolving spiral paddle for propelling boats and other vessels on water.

William Alexander Brown, of Liverpool, merchant, and Herman Hendricks, of Passey, near Paris, gentleman, for an improved method or methods of manufacturing the prussiates of potash and soda, and the prussiate of iron.

Joshua Taylor Beale, of Church-street, Whitechapel, engineer, for certain improvements in steam engines.

John Howard Kyan, of South-row, Euston-square, esq., for a new mode of preserving certain vegetable substances from decay.

John Bate, of the Poultry, London, optician, for an improvement in machinery applicable to the imitation of medals, sculpture, and other works of art executed in relief.

Alexander Beattie Shankland, of Liverpool-street, London, for a new method of spinning flax and hemp by means of machinery (communicated by a foreigner).

George Edwards, of St. Mary's-square, Birmingham, gentleman, for a philosophical arrangement of letters,

forms, or figures, by which the articulate sounds of languages may be scientifically denoted.

Benjamin Cook, of Birmingham, brass founder, for an improved method of manufacturing various useful articles from a metal not hitherto used for that purpose.

John Demeur, of Water-lane, Tower-street, London, gentleman, for the extraction of oleaginous matter from a certain foreign vegetable kernel, and the application of the same to the making of oil, candles, soap, and other articles of commerce, a part of which invention has been communicated to him by a foreigner residing abroad.

John James Clark, of Market Raven, Lincolnshire, gentleman, John Nash, of the same place, tile and brick manufacturer, and John Longbottom, of Leeds, machine maker, for certain improvements in the machinery and process used in the manufacture of tiles, bricks, bread, biscuits, and other articles formed of plastic materials, a part of which improvements is applicable to other purposes.

Richard Roberts, of Manchester, civil engineer, for a certain improvement or certain improvements in steam-engines, and also in the mechanism through which the elastic force of steam is made to give impulse to, and regulate the speed of, locomotive carriages.

Grant Preston, of the city of London, nautical brazier, for his improvements in ships' compasses.

Frederick Steiner, of Church, near Blackburn, Lancashire, manufacturing chymist and Turkey red dyer, for the invention of a certain process by which spent madders that have been previously used can be made to yield a great quantity of colouring matter; and for dyeing with the same various colours, all descriptions of cotton, linen, wool, silk, or any mixture of them; and also for improving dyeing madders that have not been previously used (communicated by a foreigner residing abroad).

William Hubie, of York, joiner and cabinet maker, for an improved mangle.

Joseph Alexander Taylor, of George-street, Hanover-square, for his improved whipstick or cane, to be used when riding.

William Brown, of Liverpool, merchant, for certain improvements in steam engines (communicated by a foreigner residing abroad).

Hugh Bolton, of Sharples, Bolton-le-

Moors, Lancashire, carder, for his improvement in machinery used for carding cotton and other fibrous materials.

Jacob Perkins, of Fleet-street, engineer, for certain improvements in blowing and exhausting air applicable to various purposes.

George Lowe, of Brick-lane, Old-street, civil engineer, for an invention for increasing the illuminating power of such coal gas as is usually produced in gas-works; also for converting the refuse products from the manufacture of coal gas into an article of commerce not heretofore produced therefrom; and also for a new mode of conducting the process of condensation in the manufacture of gas for illumination.

John Sylvester, of Great Russell-street, engineer, for certain improvements in apparatus for raising the temperature of air to warm and ventilate buildings.

Joshua Wordsworth, of Leeds, machine maker, for certain improvements in machinery for preparing, drawing, roving, and spinning flax, hemp, wool, and other fibrous substances.

John Jacob Parker, of Birmingham, gentleman, for certain improvements in fountain pens.

Miles Berry, of Chancery-lane, civil engineer, for certain improvements in the construction of presses, applicable to various purposes.

Pierre Nicolas Hainsselin, of Duke-street, St. James's, architect and engineer, for his machine for giving motive power.

William Evatt Wright, of Regent-street, Hanover-square, gentleman, for certain improvements in tea or coffee urns, and other utensils of that description.

Benjamin Cowle Tyzack, Thomas Storer Dobinson, and John Robinson, all of North Shields, for certain improvements in windlasses or machinery for winding up the cable, which they denominate Tyzack, Dobinson and Co.'s compound lever windlass.

Joseph Crawhall, of Newcastle-upon-Tyne, rope maker, for his improvement in the manufacture of flat rope, such as is used in mines, to extend to all the colonies and plantations abroad.

William Newton, of the Office for Patents, Chancery-lane, for an improved apparatus for producing instantaneous light, and the means and mechanism to be employed in the manufacture of the same; to extend to the colonies and

plantations abroad (communicated to him by a foreigner, residing abroad).

Thomas Wells Ingram, of Birmingham, die sinker, for his improved method of manufacturing a certain description of buttons, by the application of machinery, not heretofore used for that purpose.

William Henry James, of Thaives Inn, Holborn, engineer, for certain improvements in the construction of steam-carriages, and the apparatus or machinery for propelling the same, part of which improvements are applicable to other purposes.

William Joyce, of Bow, Middlesex, harness maker, for his improvements in the making of collars for horses and other animals.

Daniel Horton and George Horton, of the Leys Iron Works, Stafford, iron masters, for an improved puddling furnace, for the better production of manufactured iron, in the process of obtaining it from the pig.

George Jones, of Wolverhampton, James Foster, of Stourbridge, and John Barker and John Jones, of Wolverhampton, iron masters, for an improvement in the process now in use for producing or making malleable iron.

Caroline Eliza Ann Burgess, of Beauport, Sussex, for an improvement or apparatus for sketching, drawing, or delineating.

Nicholas Troughton, of Swansea, copper smelter, for his improvements in producing a cement applicable to building and other purposes, which he denominates metallic cement.

Pierre Frederick Fischer, of Chester-place, Regent's Park, gentleman, for certain improvements in piano-fortes (communicated by a certain foreigner residing abroad).

John Brown, of Heaton Norris, Lancashire, cotton manufacturer, and Thomas Heys, of the same place, book keeper, for improvements in the machinery used for spinning cotton, silk, flax, and other fibrous substances, commonly called throstles.

Richard Badnell, jun., of Douglas, Isle of Man, gentleman, for improvement in the construction of the trams, or rails, or lines of rails, or tram roads, upon which locomotive engines shall or may work.

Richard Whytock, of Edinburgh, for an improved method or manufacture which facilitates the production of regular figures or patterns on different fabri-



particularly velvet, velvet pile, and Brussels, Wilton, and Turkey carpets.

Richard Trevithick, of Camborne, Cornwall, engineer, for his improvements on the steam engine, and in the application of steam power to navigation and to locomotion.

John Howard Kyan, of Gillingham-street, Pimlico, esq., for an improved mode of preserving paper, canvass cloth and cordage for ships and other uses, and the raw materials of hemp, flax, or cotton from which the same may wholly or in part be made.

Joseph Gibbs, of the Kent-road, engineer, and Augustus Applegarth, of Crayford, Kent, calico printer, for improvements in machinery for cutting out wood for carriage wheels, and for cutting and shaping the wheels.

Charles Watt, of Clapham, Surrey, surgeon, for an improved method of preparing tallow and stuff from fatty materials, and refining the same for the manufacture of candles and other purposes.

Joseph Amise, of Losen, in Kent, paper-maker, for certain improvements in the construction of apparatus to be employed in making paper.

John Travis, the younger, of Shaw Mills, near Manchester, cotton spinner, for certain improvements in machinery for roving cotton and other fibrous substances.

William Palmer, of George-place, Old-street road, candle-maker, for improvements in making candles, and candle-sticks, or apparatus for holding candles.

John Joyce, of Sidmouth-street, Gray's-Inn-road, gentleman, for a certain improvement or improvements in machinery for making nails, (communicated to him by a certain foreigner residing abroad.)

John Swan, of Basingstoke, Hants, brewer, for certain improvements in brewing.

Sherman Converse, of New York, gentleman, for certain improvements in making or manufacturing metallic rails for the construction of rail roads, (communicated to him by a certain foreigner residing abroad.)

Joseph Gibbs, of Kent-terrace, Kent-road, Surrey, engineer, and Augustus Applegarth, of Crayford, Kent, calico-printer, for certain improvements in steam-carriages.

John White, of Southampton, engi-

neer and iron-founder, for certain improvements in the construction of pumps or engines for raising water or other fluids.

William Woods, the elder, of Newcastle-street, Farringdon-street, London, steel-pen manufacturer, for certain improvement or improvements in the construction of metal pens.

James William Durrant, of Brewer-street, Somer's-town, smith, for an improved mode or modes, method or methods of securing, combining, and preserving printed, written, or plain papers, prints, drawings, music, or other similar matters, so as to be readily accessible, easily referred to, and capable of being taken asunder, and replaced at any time with facility.

Thomas Todd, of Kingston-upon-Hull, for improvements in machinery for raising water, &c.

George Rudall and John Mitchell Rose, both of Covent-garden Piazza, for improvements in the construction of flutes.

Thomas Howard, of Copthall-court, for improvements in his former invention, denominated the vapour-engine.

Robert Cottle, of Grove House, Yorkshire, and W. Greaves, north of the city of York, for improvements in the construction of fire-engines.

William Ranger, of Brighton, for a cement or composition, called by him Ranger's artificial stone.

Julien Fred. Maillard Durneste, of Paris-street, Lambeth, for a machine to reduce caoutchouc, or India-rubber, into elastic thread of different sizes.

John Hornby Maw, of Aldermanbury, for improvements in an apparatus for ejecting cremate.

Joseph Hardwick, Liverpool, for improvements in paddle-wheels.

Thomas Parsons, of Furnival's-inn, for improvements in locks of doors, and other purposes.

Robert Selby, of Burleigh-street, Strand, for improvements in bedsteads, couches, sofas, and similar articles of furniture.

William Gutteridge, of the Minories, and George Stevens, of Norwood, for an apparatus for manufacturing and refining sugar, &c.

William Henson, of Worcester, for improvements in machinery for producing lace in narrow breadths with edges or quilling.



# POETRY.

## TO A FLOWER BROUGHT FROM THE FIELD OF GRUTLI.\*

By MRS. HEMANS.

WHENCE art thou flower?—from holy ground  
Where freedom's foot hath been!  
Yet bugle-blast or trumpet-sound  
Ne'er shook that solemn scene.

Flower of a noble field! thy birth  
Was not where spears have cross'd,  
And shiver'd helms have strewn the earth,  
Midst banners won and lost:

But, where the sunny hues and showers  
Unto thy cup were given,  
There met high hearts at midnight hours,  
Pure hands were rais'd to heaven.

And vows were pledg'd, that man should roam  
Through every Alpine dell,  
Free as the wind, the torrent's foam,  
The shaft of William Tell!

And prayer—the full deep flow of prayer,  
Hallow'd the pastoral sod,  
And souls grew strong for battle there,  
Nerv'd with the peace of God.

Before the Alps and stars they knelt,  
That calm, devoted band;  
And rose, and made their spirits felt,  
Through all the mountain land.

---

\* The field beside the Lake of the Four Cantons, where the "Three Tells," as the Swiss call the fathers of their liberty, took the oath of redeeming Switzerland from the Austrian yoke.

Then welcome Grütli's free born flower  
 Even in thy pale decay,  
 There dwells a breath, a tone, a power,  
 Which all high thoughts obey.

---

SONNET ON SIR WALTER SCOTT'S QUITTING  
 ABBOTSFORD FOR NAPLES.

*By WILLIAM WORDSWORTH.*

*(From the Literary Souvenir.)*

A TROUBLE, not of clouds or weeping rain,  
 Nor of the setting sun's pathetic light  
 Engendered, hangs o'er Eildon's triple height :  
 Spirits of Power assembled there complain  
 For kindred power departing from their sight ;  
 While Tweed, best pleased in chanting a blithe strain,  
 Saddens his voice again, and yet again.  
 Lift up your hearts, ye mourners ! for the might  
 Of the whole world's good wishes with him goes ;  
 Blessings and prayers in nobler retinue  
 Than scepter'd king, or laurell'd conqueror knows  
 Follow this wond'rous Potentate. Be true  
 Ye winds of ocean and the midland sea,  
 Wafting your charge to soft Parthenope !

---

TO WORDSWORTH.

*From HARTLEY COLERIDGE'S POEMS.*

THERE have been poets that in verse display  
 The elemental forms of human passions :  
 Poets have been to whom the fickle fashions  
 And all the wilful humours of the day,  
 Have furnished matter for a polished lay :  
 And many are the smooth, elaborate tribe  
 Who, emulous of these, the form describe,  
 And fain would every shifting hue pourtray  
 Of restless nature. But thou, mighty Seer !  
 'Tis thine to celebrate the thoughts that make  
 The life of souls, the truths for whose sweet sake  
 We to ourselves and to our God are dear.  
 Of Nature's inner shrine thou art the priest  
 Where most she works when we perceive the least.

LIBERTY.

*From the Same.*

SAY, what is Freedom? What the right of souls,  
Which all who know are bound to keep or die,  
And who knows not is dead. In vain ye pry  
In musty archives or retentive scrolls :  
Charters and statutes, constitutions, rolls,  
And remnants of the old world's history :—  
These shew what has been, not what ought to be ;  
Or teach at best how wiser Time controls  
Man's futile purposes. As vain the search  
Of restless factions, who, in lawless will,  
Fix the foundations of a creedless church—  
A lawless rule—an anarchy of ill.  
But what is Freedom? Rightly understood,  
A universal license to be good.

---

TRANSLATION OF LA MARTINE'S PARTING ADDRESS TO THE ACADEMY  
OF MARSEILLES BEFORE SAILING WITH HIS WIFE AND  
CHILD TO THE HOLY LAND.

If to the fluttering folds of the quick sail  
My all of peace and comfort I impart,  
If to the treacherous tide and wav'ring gale  
My wife and child I lend, my soul's best part ;  
If on the seas, the sands, the clouds, I cast  
Fond hopes, and beating hearts I leave behind,  
With no returning pledge beyond a mast,  
That bends with every blast of wind ;

'Tis not the paltry thirst of gold could fire  
A heart that ever glow'd with holier flame,  
Nor glory tempt me with the vain desire  
To gild my memory with a fleeting fame,  
I go not like the Florentine of old,  
The bitter bread of banishment to eat ;  
No wave of faction in its wildest roar  
Broke on my calm paternal seat.

Weeping I leave on yonder valley's side  
Trees thick with shade, a home, a noiseless plain,  
Peopled with warm regrets, and dim desried  
Even here by wistful eyes across the main ;  
Deep in the leafy woods a lone abode,  
Beyond the reach of faction's loud annoy,  
Whose echoes, even while tempests groaned abroad,  
Were sounds of blessing, songs of joy.

There sits a sire, who sees our imaged forms,  
 When through the battlements the breezes sweep,  
 And prays to him who stirs or lays the storms  
 To make his winds glide gentler o'er the deep ;  
 There friends and servants masterless are trying  
 To trace our latest footprints on the sward,  
 And my poor dog, beneath my window lying,  
 Howls when my well-known name is heard.

There sisters dwell, from the same bosom fed,  
 Boughs which the wind should rock on the same tree  
 There friends, the soul's relations dwell, that read  
 My eye, and knew each thought that dawned in me ;  
 And hearts unknown that list the muses call,  
 Mysterious friends that know me in my strain—  
 Like viewless echoes scattered over all  
 To render back its tones again.

But in the soul's unfathomable wells,  
 Unknown, inexplicable longings sleep;  
 Like that strange instinct which the bird impels  
 In search of other food athwart the deep.  
 What from those orient climes have they to gain ?  
 Have they not nests as mossy in our eaves,  
 And for their callow progeny, the grain  
 Dropt from a thousand golden sheaves ?

I too, like them, could find my portion here,  
 Enjoy the mountain slope, the river's foam ;  
 My humble wishes seek no loftier sphere,  
 And yet like them I go—like them I come.  
 Dim longings draw me on and point my path  
 To Eastern sands, to Shem's deserted shore,  
 The cradle of the world, where God in wrath  
 Hardened the human heart of yore.

I have not yet felt on the sea of sand  
 The slumberous rocking of the desert bark,  
 Nor quenched my thirst at eve with quivering hand  
 By Hebron's well, beneath the palm-trees dark ;  
 Nor in the pilgrim's tent my mantle spread,  
 Nor laid me in the dust where Job hath lain,  
 Nor, while the canvas murmured overhead,  
 Dreamt Jacob's mystic dreams again.

Of the world's pages one is yet unread :  
 How the stars tremble in Chaldea's sky,  
 With what a sense of nothingness we tread,  
 How the heart beats when God appears so nigh ;—

How on the soul, beside some column lone,  
The shadows of old days descend and hover,—  
How the grass speaks, the earth sends out its moan,  
And the breeze wails that wanders over.

I have not heard in the tall cedar-top  
The cries of nations echo to and fro ;  
Nor seen from Lebanon the eagles drop  
On Tyre's deep-buried palaces below :  
I have not laid my head upon the ground  
Where Tadmor's temples in the dust decay,  
Nor startled, with my footfall's dreary sound,  
The waste where Memnon's empire lay.

I have not stretched where Jordan's current flows,  
Heard how the loud lamenting river weeps,  
With moans and cries sublimer even than those  
With which the mournful Prophet \* stirred its deeps ;  
Nor felt the transports which the soul inspire  
In the deep grot, where he, the bard of kings,  
Felt, at the dead of night, a hand of flame  
Seize on his harp, and sweep the strings.

I have not wandered o'er the plain, whereon,  
Beneath the olive tree, THE SAVIOUR wept ;  
Nor traced his tears the hallowed trees upon,  
Which jealous angels have not all outswept ;  
Nor, in the garden, watched through nights sublime,  
Where, while the bloody sweat was undergone,  
The echo of his sorrows and our crime  
Rung in one listening ear alone.

Nor have I bent my forehead on the spot  
Where his ascending footstep pressed the clay,  
Nor worn with lips devout the rock-hewn grot,  
Where, in his mother's tears embalmed, he lay ;  
Nor smote my breast on that sad mountain head,  
Where, even in death, conq'ring the powers of air,  
His arms, as to embrace our earth, he spread,  
And bowed his head, to bless it there.

For these I leave my home ; for these I stake  
My little span of useless years below ;  
What matters it, where winter-winds may shake  
The trunk that yields nor fruit nor foliage now !  
Fool ! says the crowd.—Their's is the foolish part !  
Not in one spot can the soul's food be found,—

No!—to the poet *thought is bread*—his heart  
Lives on his Maker's works around.

Farewell, my sire, my sisters dear, again!  
Farewell, my walnut-shaded place of birth!  
Farewell, my steed, now loitering o'er the plain!  
Farewell, my dog, now lonely on the hearth!  
Your image haunts me like the shade of bliss,  
Your voices lure me with their fond recall;  
Soon, may the hour arise, less dark than this,  
The hour that reunites us all.

And thou, my country, tossed by winds and seas,  
Like this frail bark on which my lot is cast,  
Big with the world's yet unborn destinies,—  
Adieu, thy shores glide from my vision past!  
O! that some ray would pierce the clouds that broods  
O'er throne and temple, liberty and thee,  
And kindle brighter, o'er the restless floods,  
Thy beacon light of immortality!

And thou, Marseilles, at France's portals placed,  
With thy white arms the coming guest to greet,  
Whose haven, gleaming o'er the ocean's breast,  
Spreads like a nest, each winged mast to meet;  
Where many a hand, beloved, now presses mine,  
Where my foot lingers still as loth to flee—  
Thine be my last departing accents—thine  
My first returning greeting be!"



# I N D E X.

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